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State Bar of Michigan Children's Law Section

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# The Michigan Child Welfare Law Journal



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# Message from the Chair

I have been giving some thought to the recent discussions of parent representation in neglect and abuse cases over the past few weeks. I expanded that thinking to include all representation in neglect and abuse cases.

The issue has been with us for decades but after reading, *Executive Summary of Legal Representation for Legal Parents in Child Welfare Proceedings: A performance-based analysis of Michigan practice*, in the fall issue of this journal, I have tried to reconcile the recommendations of the ABA with the realities of practicing in the courts in Michigan. I tried to expand those thoughts to include prosecutors and their representation of the Department of Human Services and the duties of the Attorney/Guardian Ad Litem.

How many times have we seen clients being greeted five minutes before a hearing? How many times do we have a replacement for an otherwise, “busy in another court,” attorney? (Translated: busy on behalf of a retained client)? My guess is far too often.

What is the percentage of appointed attorneys in child welfare cases? My guess is a huge percentage—none of whom are making more than their electric and gas bills from their representation in child welfare cases. After all we are only “kiddie court.” What is the level of commitment?

Lest we forget, the problem of timely reports needed for proper preparation. We know of 25-page reports received late in the afternoon, the day before a big docket; reports handed to the attorney ten minutes before the hearing; or my personal favorite, five minutes after the scheduled hearing time. The attorneys cannot be blamed for that.

The ABA report speaks of mandatory and continuing legal education requirements. How are we going to mandate that all attorneys representing parents attend that training? Will it only be court appointed or will it also be those few retained attorneys who appear and attempt to turn the proceeding into a child custody battle or a criminal type case, who will be required to attend? May a parent not hire an attorney if that attorney does not have the requisite training? How many court appointed attorneys will forego further appointments if required to miss a day of billable hours to attend a mandatory training, especially an out of the area training involving transportation, food and shelter expenses.

The Children’s Law Section has commissioned a survey through the State Bar to be sent to all 434 members of the section. We will be inquiring as to the size of firm? Is it a private practice or an agency? Time spent on child welfare cases? What role is played? (Parents attorney, prosecutor, L/GAL). The survey is in its infancy. However, when finished we will, perhaps, have a better idea of the magnitude of the problem. The difficulty, of course, is how many practitioners in the family court belong to the section. The results will allow the section to suggest practical, realistic and inexpensive steps to guarantee proper representation of parents and children in neglect and abuse cases.

—John Mckaig, Chair

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# Editor's Note

This issue of the *Michigan Child Welfare Law Journal* once again presents a number of diverse topics. In “Maltreated Infants/Toddlers Treatment Court: A Quick Summary” (Tableman) the author describes the Maltreated Infants/Toddlers Treatment Court. This court was recently developed to improve outcomes for infants and toddlers under court jurisdiction, paralleling the development of specialized courts for substance abuse and for mental health issues. Attention to the specific needs of infants/toddlers has been installed in a limited number of family courts across the country: (e.g., Miami-Dade County, New York state, Omaha, and a few areas that have received federal earmark funds). In Michigan, courts in Genesee County, Wayne County, and Midland County have proceeded farthest in developing this approach, at the invitation of Supreme Court Justice Maura Corrigan.

In “Children, Youth, and Families in Dual Jurisdictions: An Analysis of the Emerging Literature” (Kashim & Vakalahi) the authors analyze the emerging literature on the experiences of children/youth, and their families in dual jurisdictions—child welfare and juvenile justice systems. Guided by selected relevant theories, the article examines issues such as family characteristics, racial disproportionality, mental health, substance abuse, and education as sources of risk and/or protection for involvement of

children/youth and their families in both the child welfare and juvenile justice systems. Life outcomes for children and youth who are involved in dual jurisdictions are also examined. The article discusses key theoretical, research, policy, legal and practice implications

This issue also includes a “spotlight” on Voices for Michigan’s Children. Michigan’s Children is a non-profit organization based in Lansing that has been an effective, independent and nonpartisan voice seeking social change through improved public policies for children and their families. Michigan’s Children monitors federal and state policy decision-making; provides information to policymakers, communities, the media and the public; works directly with legislators and other policymakers; and gives communities, parents and youths the tools they need to advocate on their own. This organization also provides on its website an excellent summary of pending legislation in Michigan that is relevant to families and children. A number of these summaries are reproduced in this issue.

I hope you find this issue interesting and useful. As always, the editorial board welcomes your feedback on this and future issues to ensure that the *Child Welfare Journal* is of value to you.

—Joseph Kozakiewicz

# Maltreated Infants/Toddlers Treatment Court: A Quick Summary

by Betty Tableman, MPA

## Introduction

The Maltreated Infants/Toddlers Treatment Court, a recent development to improve outcomes for infants and toddlers under court jurisdiction, parallels the development of specialized courts for persons before the courts for substance abuse and for mental health issues. Attention to the specific needs of infants/toddlers has been installed in a limited number of family courts across the country: (e.g., Miami-Dade County, New York state, Omaha, and a few areas that have received federal earmark funds). In Michigan, courts in Genesee County, Wayne County, and Midland County have proceeded farthest in developing this approach, at the invitation of Supreme Court Justice Maura Corrigan.

## Why Be Concerned about Infants/Toddlers Before the Courts

Infants and toddlers (age 0 through 3) represent 32 percent<sup>1</sup> of the abused/ neglected children removed from their families by Child Protective Services and placed in foster care under court jurisdiction in Michigan. Except for those removed at birth, these infants/toddlers have been traumatized by the disruption of removal from familiar surroundings and their primary caregiver as well as by exposure to maladaptive care giving, often by witnessing violence. Frequently delayed in their physical and emotional development, they are likely to experience post traumatic stress syndrome, eating disorders, difficulties in regulating behavior and emotion. Without an ongoing stable attachment to a primary caregiver and responsive care giving, infants/toddlers withdraw, or develop a shallow relationship with others, or express their trauma in challenging out-of-control behaviors – none of which bodes well for their social emotional

health or their brain development with consequences for their ability to succeed in school and in life.

Not paying attention to the social-emotional development of infants/toddlers before the courts results in further damage and in additional costs to the court and child welfare systems, as well as to schools and society: Traumatized children can be challenging and often are shifted from one foster home to another, further impeding healthy social-emotional development. Despite legal requirements, it may be more than a year before permanency planning results in a stable ongoing relationship for the infant/toddler. Trauma and disrupted attachment play out in repetitive appearances before the courts: One third of young court wards are before the court again for abuse/neglect<sup>2</sup>, and an unknown number reappear as delinquents, or as parents repeating the cycle for another generation.

## Questions That Every Judge and Lawyer Should Ask About Infants and Toddlers in the Child Welfare System

Not every infant/toddler will receive the specialized assessment and intervention services of the Maltreated Infants/Toddlers Treatment Court (given service capacity, suitability, parental willingness, etc), but every judge/lawyer involved with an infant or toddler under court jurisdiction should be considering specific actions to meet that young child's needs regarding physical and social-emotional development, health and early childhood education. Available on the web, a technical assistance brief (December 2002) from OJJDP and the National Council of Juvenile and Family Court Judges, developed by two judges, a psychologist, and two lawyers, offers a useful checklist and rationale for each item.<sup>3</sup>

## What Is the Maltreated Infants/Toddlers Treatment Court?

The Maltreated Infants/Toddlers Treatment Court involves three service systems: the family court, the Department of Human Services (DHS), and Community Mental Health (CMH), putting in place special services and an expedited time schedule to accomplish reunification. The core services provided by a trained infant mental health specialist are:

- An assessment of the infant/toddler's social-emotional status and the parent, and the likelihood that the infant/toddler and parent can be reunited;
- Therapeutic work with the infant/toddler and parent together;
- Support to the foster parent around the infant/toddler's behavior and needs.

Families meet each month with the judge (rather than quarterly). Service providers, guardian ad litem, parent and foster parent etc. meet before the court date in order to assess changes needed in the court order and to prepare the report to the judge.

## Who Can the Maltreated Infants/Toddlers Treatment Court Serve?

In the beginning, particularly in larger counties, the Maltreated Infant/Toddlers Court will limit its caseload out of necessity, given the number of infant mental health specialists available for court work. Assessment and intervention would be provided for a defined caseload of infants/toddlers, e.g.,

- The parent must be available and willing to participate (services are voluntary);
- Intervention will be more effective when the infant/toddler is the only child or has only one sibling;
- The decision may be made to give priority to the youngest infants.

A fully developed Maltreated Infants/Toddlers Treatment Court, with a sufficient number of infant mental health specialists to serve the expected caseload, could provide:

- Assessment of all infants/toddlers before the court to determine feasibility of reunification and to assess social-emotional needs of the infant/toddler

- Intervention with parent and infant/toddler whenever appropriate. In families with numerous siblings, the infant mental health specialist may be teamed with therapists experienced in working with older children
- When reunification is not an option, the infant mental health specialist could provide consultation and assistance to foster and kinship parents and to adoptive parents.

## What Can the Maltreated Infants/Toddlers Treatment Court Accomplish?

The infant mental health intervention attends to the social-emotional and other developmental needs of the infant/toddler and to the attachment relationship between the infant/toddler and parent. Involving an infant mental health specialist is expected to

- Identify as early as possible the feasibility of reunification as an outcome
- Stabilize foster home placement
- Shorten the time to reunification or permanency
- Avoid subsequent abuse/neglect petitions for this child or later births
- Avoid seeing this child in court later as a delinquent or as a parent.

## Changes in Judicial Practice

Assigning cases to a specific judge and requiring monthly rather than quarterly court appearances are not the only change in judicial practice inherent in this model. Other changes in practice and procedure include:

- Authorizing multiple visits per week between the parent and infant/ toddler; not withdrawing visits for parental nonperformance
- Phasing court-ordered requirements of the parent (e.g., parent education, housing, employment) so that they are not overwhelming the parent's capacity for visitations and compliance.

Assuring a smoothly functioning process requires court staff to work closely with the community coordinator and DHS and CMH representatives.

## What Does It Take?

Accomplishing a Maltreated Infants/Toddlers Treatment Court takes time and energy. It requires as a minimum:

- A committed judge to lead the effort
- Committed persons with authority at DHS and CMH
- A community coordinator who can manage the process
- A court-community team to serve as an oversight or steering committee
- Trained infant mental health specialists
- Funding to underwrite necessary costs not otherwise covered

A memorandum of agreement between the Court, DHS and CMH can specify what each has agreed to in this joint enterprise, identifying roles and responsibilities; it will be a safeguard against discontinuance when there is a change in leadership.

## The Infant Mental Health Specialist

The infant mental health specialist is a masters level professional, specially trained for relationship-based work with infants/toddlers and their caregivers, usually a provider of home-based services as an employee of Community Mental Health or of a CMH contract agency. A Maltreated Infants/Toddlers Treatment Court creates additional service demand: it will generally be necessary to recruit clinicians, preferably with experience with young children, and train them as infant mental health specialists dedicated to court service. If the MITC underwrites the cost of training, there should be a written agreement that the clinician will either provide infant mental health services for a specified period of time or pay back the cost of training.

The infant mental health specialist should establish competence through endorsement by the Michigan Association for Infant Mental Health and have access to reflective supervision.<sup>4</sup>

The infant mental health specialist will carry a relatively small caseload. The number of infant/toddlers served must allow for multiple visits per week between infant/toddler and parent, consultation with the foster parent, monthly meetings, monthly court appearances, and involvement with the community coordinator.

## The Community Coordinator

The Community Coordinator, with expertise in early childhood, is key to the development and operation of a Maltreated Infants/Toddlers Treatment Court. An employee of the court, responsible to the judge, she has the responsibility for day to day management of the process. This includes screening families (with DHS); accomplishing access to Community Mental Health services; scheduling and managing monthly meetings; assisting infant mental health specialists in preparing reports to the court; identifying barriers and obstacles and seeking solutions with the Court Community Team; and assuring that attorneys, court staff, DHS staff and other service providers are aware of the special needs of infants/toddlers and the Maltreated Infants/Toddlers Treatment Court procedure. In smaller population jurisdictions, the duties of the Community Coordinator may be assigned to an existing staff position.

A Community Coordinator with an infant mental health background will provide reflective supervision to the cadre of infant mental health specialists.

## The Court Community Team

The Court Community Team (also called Oversight Committee or Steering Committee) consists of representatives of the systems and functions that are most immediately involved in implementing the Maltreated Infants/Toddlers Treatment Court. Thus, the judge or his/her representative, a DHS-CPS supervisor, the CMH supervisor of children's services, and the Community Coordinator will be primary members. In addition, the committee will include representatives of other agencies who are actively involved in the effort (e.g., advocacy organization, attorneys' group, etc.) In smaller population jurisdictions, the Court Community Team may simply be a quarterly meeting between the judge and the other system decision makers.

The Court Community Team will want to keep track of the number of infants/toddlers screened, assessed, provided intervention, reunified, etc., and pre/post test results.

## Getting Started

- The first step should be an analysis of the court caseload of infants/toddlers to determine the

total number of infants/toddlers before the courts in the course of a year. A sample of files will give a sense of ages, family composition, services provided, etc.

- A meeting between the judge and the decision makers at DHS and CMH to determine interest and feasibility.
- Introduction to the social emotional needs of infants/toddlers and the concept of a Maltreated Infants/Toddlers Treatment Court can take place at a community-wide meeting of organizations concerned with well being of infants and toddlers. Videotapes and presentations lay the groundwork.
- Appointment of the Court Community Team would set in motion concrete planning for acquiring a community coordinator, training of infant mental health specialists, screening, court process, etc.

## Funding

Funding must be identified to cover costs that are not part of existing budgets. Such costs include

- Time of the infant mental health specialist spent in activities not billable to Medicaid (i.e., assessments for the court that do not result in an intervention, monthly meetings, court sessions).
- Salary, expenses and equipment for the community coordinator
- Cost of training of additional infant mental health specialists
- Any special activities for developing community awareness and support.
- Equipment for the infant mental health specialists (e.g., video camera)
- Equipping a comfortable place in the community for parents and infants/toddlers to meet for visitations.

To the extent possible, ongoing costs should be covered by sustainable court and agency resources rather than time-limited grants.

## Evaluation

Although an evaluation by an outside source, covering the developmental and social emotional outcome for infants/toddlers receiving MITC services, would be desirable, most courts will not have the resources for this. However, keeping track of data that should be available in court and agency records can provide some information concerning the impact of this systems change. For example:

- What number/ percent of all infants/toddlers before the court in the course of a year are screened as appropriate for MITC services;
- What number/percent of parents of infants/toddlers screened as appropriate are (a) assessed, (b) offered MITC services, (c) accept MITC services;
- What are the number of foster care placements experienced by infants/toddlers receiving MITC services;
- For infant/toddlers in foster care receiving MITC services, what is the length of stay prior to the court's decision concerning reunification versus permanency planning;
- What number/percent of infants/toddlers and their parents receiving MITC services are reunified;
- What number/percent of infants/toddlers receiving MITC services appear again before the court.

Limited service capacity may mean that some infants/toddlers screened as appropriate do not receive MITC services and similar data on them can provide comparison information.

## Conclusion

The course of service development outlined here is no easy task. The evident needs of infants/toddlers and the potential for improving outcomes create the interest, consensus, and commitment that is essential but not sufficient. The time investment of knowledgeable court and agency staff is required initially to develop the process and garner the necessary resources. Over time, the momentum for overcoming obstacles requires an invested judge who

sees the difference in his/her courtroom, a skilled Community Coordinator, and a Court Community Team focused on collaborative problem solving. ©

### About the Author

Betty Tableman has a degree in Public Administration. Before retirement, she was Director of Prevention Services for the Michigan Department of Mental Health, where she initiated the development of infant mental health services in Michigan. Co-author of a manual for infant mental health specialists, she has also written 36 Best Practice Briefs for Michigan State University Outreach and Engagement. She was recently inducted into the Michigan Women's Hall of Fame.

### Bibliography

Hudson, L., Klain, E., Smariga, M. & Youcha, V. Healing the Youngest Children: Model Court-Community Partnerships., National Council of Juvenile and Family Court Judges. (2007). American Bar Association Center on Children and the Law and ZERO TO THREE. [www.abanet.org/child/practice&policybrief\\_march07.pdf](http://www.abanet.org/child/practice&policybrief_march07.pdf)

Tableman, B. & Paradis, N. Courts, Child Welfare and Infant Mental Health: Improving Outcomes for Abused/Neglected Infants and Toddlers. (2008). Southgate: Michigan Association for Infant Mental Health. [www.mi-aimh.org](http://www.mi-aimh.org).

### Endnotes

- 1 Michigan Department of Human Services. Child Protective Services Management Information. Race and Age of Victims, 2007.
- 2 F. Wulcyn & K.B. Hislop, (2002), "Babies in Foster Care: The Numbers Call for Action". *Zero to Three Journal*, 23(4), 13-15.
- 3 [www.npr.org/programs/atc/features/2003/mar/juvenile\\_court/questions\\_every\\_judge\\_should\\_ask.pdf](http://www.npr.org/programs/atc/features/2003/mar/juvenile_court/questions_every_judge_should_ask.pdf)
- 4 To access the Michigan Association for Infant Mental Health, see [www.mi-aimh.org](http://www.mi-aimh.org).

# Children, Youth, and Families in Dual Jurisdictions:

## An Analysis of the Emerging Literature

by Sumeira A. Kashim BA, MSW and Halaevalu F.O. Vakalahi, MSW, MEd, PhD

Historically, the child welfare and juvenile justice systems have proclaimed the notion that the most effective and efficient decisions regarding children, youth, and their families are based on the ideal of “in the best interest of the child”. According to Duggan (2007) caseworkers, judges, and child advocates overall tend to base their decisions on this concept. However, the systems’ track record, unfortunately, portrays a sometimes over-used and misinterpreted phrase that has resulted in children and youth in the child welfare system and juvenile justice system becoming an overwhelmingly shared population. A holistic and eco-systems perspective, embraced by both the child welfare and juvenile justice systems, that views children and youth in the context of family, peers, school, community, and society as sources of risk and/or protection is imperative for ensuring that the best interest of the child is the principal focus.

In spite of the countless studies referencing the link between youth in the child welfare system and those in the juvenile justice system, the literature remains limited and outdated in relation to explicitly examining the co-existence of these systems in a child/youth’s life. Also, there has been no major national initiative to track the number of children and youth that are involved in these dual jurisdictions (Petro, 2006). Nonetheless, youth who experience multiple, unstable, and inappropriate placements in the child welfare system are more likely to be involved in the juvenile justice system (Aarons, Hazen, Leslie, Hough, Monn, Connelly, Landdsverk & Brown, 2008). These youth are referred to as dual jurisdiction children/youth. These children/youth are involved in both the child welfare and juvenile justice systems

simultaneously or transition between the systems. This population of children, youth, and families, who are served in these two systems, become ‘exchangeable’ as they confront similar challenges that lead to going back and forth between the systems.

Ultimately, these children and youth are served in the child welfare system as victims and in the juvenile justice system as offenders. Yet, they face similar challenges such as racism and discrimination, low socioeconomic status, and dysfunctional family structure that influence their involvement in dual jurisdictions. For instance, child maltreatment including physical, emotional, sexual abuse, and neglect are associated with future violent behavior and time served in juvenile detention (Alltucker, Bullis, Close & Yovanoff, 2006). Also, these children can experience instability in the child welfare system that may lead to higher risk for involvement in the juvenile justice system (Murry, Williams & Salekin, 2006).

The purpose of this article is to critically analyze the emerging literature pertaining to the experiences of children, youth, and their families in dual jurisdictions—child welfare and juvenile justice systems. Guided by selected relevant models, the analysis examines research on risk and protective factors that moderate the experiences of these children, youth, and their families. Specific issues such as family characteristics, racial disproportionality, mental health, substance abuse, and education are analyzed as sources of risk and/or protection for children and youth in both systems. Outcomes of these children and youth are also examined. The article discusses key theoretical, research, policy, and practice implications within family, community, and

cultural contexts emphasizing the need to develop effective prevention and interventions.

## Literature Review

### *Conceptual Frameworks*

First, ecosystems theory suggests that consideration must be given to all subsystems that form the system of interest. That is, the individual's personal characteristics (e.g., race/ethnicity, class), family, community, and the larger society play significant roles that produce interdependent and reciprocal effects. Thus, the involvement of a child/youth in the child welfare system often impacts their involvement in the juvenile justice system (Franklin, DiNitto, & McNeece, 1997; Martin & O'Connor, 1989). For children and youth from vulnerable populations, these systems may be contexts in which inequities are reproduced and reinforced (DiNitto, Martin, & Harrison, 1982).

Secondly, the risk-focused model (Hawkins, Catalano & Associates, 1992) discusses sources of risk for an individual which may include personal, family, peers, school, and community characteristics. For children and youth in dual jurisdictions, family conflict, low socioeconomic status, poor neighborhood, school dropout, gang membership, and social prejudice and stereotypes are major risk factors (Bilchik, 1998; Devine, Coolbaugh, & Jenkins, 1998).

### *Children and Youth in Dual Jurisdictions*

Research has shown that there is a direct link between the child welfare system and juvenile justice system (Schwartz, Rendon & Hsieh, 1994). Those children receiving child welfare services are at higher risk of entry into juvenile corrections. Studies have noted that child welfare services predicted an increased rate of involvement in juvenile corrections and that in-home child welfare services decrease some risks of later incarceration, particularly for ethnic minority children. In Sacramento County, it was found that among children between the ages of nine and twelve who had been referred to the child welfare system, the arrest rate was 67 times higher when compared to children with no history of child welfare referrals (Slavin, 2001).

According to the U.S. Department of Health and Human Services, in 2005, there were over half a million children in the child welfare system, with

285,000 exiting the system that same year. Some of these children and youth transition to stable families while others age out of the system and face unemployment and homelessness, and some end up involved or at-risk of becoming involved in the juvenile or criminal justice system. One in ten youth between the ages of ten to 17 will have some contact with the juvenile justice system (The Network on Transitions to Adulthood, 2006). The juvenile justice system processes over 2.5 million juvenile arrests each year, and also makes judgments on almost 5,000 delinquency cases everyday. Upon entering the juvenile justice system, it is commonplace during initial investigation to uncover a serious and pervasive history of neglect and abuse among these youth (National Center for Juvenile Justice, 2004). This emphasizes the exchangeability of these children in the child welfare and juvenile justice systems because as a child enters the juvenile justice system, they are also in need of child welfare services.

A study by Alltucker et al. (2006) on the state of Oregon's juvenile justice system found that youth with foster care experience were four times more likely to be early start delinquents than youth with no foster care experience. Risks for juvenile delinquency also included the instability of foster care homes and the multiple placements that children in foster care endure. Also, child maltreatment was found to be associated with violent behavior and entrance into juvenile detention. Other risk factors for involvement in the juvenile justice system also included early entry into foster care, parent and sibling criminality, decreased parental quality and family functioning, and special education disabilities.

According to the Juvenile Justice Delinquency Prevention Act (JJDP) Fact Book (2007), research was conducted in the Midwest in order to identify child maltreatment cases that came to the attention of the juvenile justice system. This longitudinal study concluded that children whose cases were reviewed showed a continuous increased risk for being adjudicated delinquent by 55 percent and increased risk of being arrested for a violent crime by 96 percent. This dually served population was also more inclined to become repeat offenders (JJDP Fact Book, 2007). In Washington State, this same study was replicated and found that neglected children were 4.8 times more likely to be arrested as juveniles and 11 times more likely to be arrested for a violent crime,

when compared to children that had no history of neglect (JJDPFA Fact Book).

Various pathways exist between the two systems which cause children and youth to transition between the child welfare and juvenile justice systems. A clinical director at a New Jersey residential treatment facility reported that the child welfare system has used juvenile detention facilities as short-term placements for children they cannot find a placement for. Caseworkers are able to do this by bringing criminal charges against a child for a status offense, which means time spent in juvenile detention is time spent without counseling or treatment services (Slavin, 2001). The clinical director also noted that for aggressive or difficult adolescents, child welfare agencies promote bringing criminal charges against these adolescents as a way to transfer accountability to the juvenile justice system. This is done for less serious crimes varying from status offenses like truancy or running away, to more serious offenses like shoplifting or vandalism. With a lack of communication between probation officers and caseworkers, a shared child or youth ends up being treated as a “hot potato,” with no system wanting to take accountability for their client (Slavin, 2001).

Similarly, Wiig (2002) conducted a study in Hennepin County, Minnesota reviewing cases of 135 children under the age of 10 who were referred to the juvenile justice system. Results show that 85 percent of these children and families had previously received social services, and 81 percent had had contact with the child welfare system. Also, over half of the participants experienced challenges in school attendance, problematic behavior, and learning difficulties.

This blurred line between the systems may account for the increase of youth entering the juvenile justice system. Youth in juvenile justice who are between the ages of seven and twelve have been increasing, as well as the severity of their offense (Wiig, 2002). For example, in less than a ten year span, in 1997, youth offenders increased by six percent. Also, their arrests for property crimes decreased by 17 percent, yet their arrests for violent crimes increased by 45 percent. In addition, child delinquents tend to be more likely to recidivate as serious, chronic, and violent offenders (Wiig, 2002). Also, specific to gender, girls were arrested more often for running away and sex offenses, and boys are arrested more often for vandalism, theft,

assault, and drugs (Wickliffe, 2007). Although the case is made that children who are younger are more likely to be influenced by their family, risk factors for delinquency remain the same for older juveniles as well (Wiig, 2002).

***Negative Family Characteristics.*** Many families of dual jurisdiction youth have experienced problems with substance abuse, criminal involvement, domestic violence, and single parenthood, which all contribute to an at-risk environment for children to find themselves in either or both systems (Murry, Williams & Salekin, 2006; Wiig, 2002). Seriously considering these realities of family characteristics is imperative in developing effective dual systems responses to dual jurisdiction children/youth. The child welfare system offers removal of a child from abusive and neglectful parents, but also causes a significant change in the child’s environment which may become sources of risk or protection for involvement in the juvenile justice system (Wingfield, Klempner & Pizzigatik, 2000). The hope of removal and placement in out-of-home care is that children will reach a new level of functioning without maltreatment. Placement with a stable foster care family can potentially provide a child with a meaningful attachment and sense of security to the child, which leads to more positive development. However, foster placement not only interrupts the child’s home life, but also changes their development in the school, with friends, and community in either positive or negative ways. Wickliffe (2007) and Murry et al., (2006) also found that juvenile offenders more often come from family structures other than two-parent family homes and loose bonds with family and less parental supervision. On the other hand, they found that protective factors for delinquency included positive socialization, open communication, positive role models, and quality interaction between parent and children.

Accordingly, in a random sample analysis of dual jurisdiction youth and their families in Arizona, it was uncovered that a majority of these families experienced various problems—78 percent parental substance abuse, 70 percent domestic violence issues, 61 percent experiencing housing/financial problems, and 55 percent with a history of one or both parents incarcerated (National Center for Juvenile Justice, 2004). Among the dual jurisdiction youth themselves, 80 percent experienced issues with substance abuse, 44 percent had special education needs, and 23

percent were suspected of or diagnosed with a learning disability (National Center for Juvenile Justice, 2004). Likewise, in Charlotte, North Carolina, Mecklenburg County reviewed cases of serious, recidivist juveniles and discovered that 52 percent had a history in child protective services. The juveniles' had themes within their records such as lack of supervision, parental substance abuse, parental criminality, and domestic violence (Slavin, 2001).

**Substance Abuse.** A child with a maltreatment history of sexual abuse and neglect has high rates of substance involvement (Aarons et al., 2008). Forty to eighty percent of all confirmed neglect and maltreatment cases also involve substance abuse in the family (Wingfield, Klempner & Pizzigatik, 2000). Women in poverty and abusing substances tend to be financially or psychologically dependent on drug-using or abusive partners. This threatens reunification and recovery for the family and means a risk in their ability to move to a safe environment with their children. Judges, child welfare workers, and substance abuse counselors who work with these types of juvenile cases must understand the process of treatment and the possibility of substance abuse relapse in the family (Karoll & Poertner, 2002).

Children with a history of sexual abuse and neglect, who experience placement instability or are older at the time of entry into the child welfare system, are at high risk for substance abuse and subsequent involvement with the juvenile justice system (Aarons et al., 2008; Goodkind, Ng, & Sarri, 2006). In Baltimore City's juvenile justice system, it was reported that 90 percent of one judge's cases of child maltreatment were linked to drug use. A cycle was uncovered between drugs feeding a child into the child welfare system, then graduating to the juvenile justice system, and then eventually heading into the adult criminal justice system (Slavin, 2001).

**Mental Health Issues.** At least half of the children in foster care may experience one or more mental disorders (Bruskas, 2008). Post-traumatic stress disorder is one of the leading mental disorders for this population. Although there are overwhelming mental health problems suffered by the children in the child welfare system, including depression as an outcome of maltreatment, a majority had no access to mental health services (Bruskas, 2008). In fact, in New York State residential treatment centers (RTC), more than half of the youth had characteristics that

were more commonly seen in mental health and juvenile justice systems over a ten-year period. Three-fourths of the children had prior placements in foster homes and a majority had been adjudicated for either state or criminal offenses (Dale, Baker, Anastasio & Purcell, 2007). Also, it was estimated that in 2001, 12,700 youths in the U.S. were placed in child welfare or juvenile justice systems in order to access mental health services that their families could not provide, with a majority of these youths being males (McMillen, Zima, Scott, Auslander, Munson & Ollie, 2005).

**Education Difficulty.** Education is another major challenge that these dual jurisdiction children and youth face. Missing school because of multiple home transitions result in lost school records, school credits not transferred, and other systemic problems. Graduation rates, or lack thereof, reflect these barriers to quality education, and, as research has repeatedly proven, education is important to the quality of adulthood (Bruskas, 2008). In Oregon's juvenile justice system, 40 percent of children and youth suffered from learning disabilities and 46 percent experienced emotional and behavioral problems (Alltucker et al., 2006). In a study by Blome (1997), 59 percent of foster children were functioning below grade level, with 11 percent being three to five years behind their actual grade level. These foster parents were not very involved in their foster child's homework and overall education and reported a low rate of participation in parent-teacher conferences. Similarly, in a nationwide study of 17-year-olds in foster care, it was found that only half of the teenagers could read at a 7<sup>th</sup> grade level, around one-third repeated a grade, and almost 20 percent had been expelled from school (Blair, 2004).

Zero tolerance based punishments have taken children out of school sending them to an often unstable environment at home or elsewhere. Inappropriate and ineffective school policies become a pathway leading children and youth into the juvenile justice system. School suspensions and expulsions are associated with high school dropout rates and failure to graduate on time, and eventual involvement in the juvenile justice system (Graves & Mirsky, 2007). Not surprisingly, there is a racial bias in school suspensions and expulsions as children of color tend to suffer more suspensions and expulsions than white students (Zero Tolerance, 2000).

Youths with disabilities makeup two-thirds of total youth in the juvenile justice system, but only 10 to 12 percent of the general population in public schools. Youth disabilities include learning disabilities, emotional and behavioral disturbances, and developmental disabilities. In the schools, children with disabilities demonstrate less impulse control, and face more challenges with social skills, and are more susceptible to peer pressure (Garfinkel, 2001). When these disabilities are not properly identified, it can lead to inappropriate referral of a child to the juvenile justice system where services needed may not be provided.

**Racial Disproportionality.** Various data indicates an overwhelming representation of African American families in the child welfare and juvenile justice systems. For example, in 2006, the federal Office of Juvenile Justice and Delinquency Prevention reported that African American youth accounted for 16 percent of the U.S. population, yet represented 28 percent of juvenile arrests, 30 percent of youth adjudicated for delinquency charges, 37 percent of youth placed in secure detention, and 58 percent of youth sent to state prison (Bilchik & Stagner, 2009). Similarly, in the child welfare system, in 2003 the U.S. Department of Health and Human Services reported that 15 percent of the total population included African American children, yet 45 percent of children in foster care were African American. Also, 25 percent of African American children were victims of substantiated cases of child maltreatment. In the child welfare system, African American children are admitted to foster care more often and are less likely to leave the system. The overrepresentation of this group of youth could be because of their increased contact with the system through over surveillance of poor and minority neighborhoods and institutional biases. In these communities, there is more child welfare and juvenile delinquent surveillance, leading to more reports which influence overrepresentation of ethnic minorities in the systems (Jonson-Reid, 2002).

Child welfare workers, juvenile justice officers, and school officials are responsible for referring these minority families into the system as they direct the family's point of entry in the systems. Race and culture can influence their choices and referrals. For example, a child welfare worker may require more intrusive interventions and make decisions based on a family's weakness instead of their strengths. In a study

by Cohen (2003), caseworkers had a tendency to put families and family problems into the context of the dominant culture, without acknowledging that ethnic minority families, including immigrants and refugees, have different cultures and perspectives. The decision making framework of child welfare staff impacts the overrepresentation of ethnic and racial minority youths. In an analysis of policies and protocols of a State Department of Human Services using a racial lens, it was discovered that African Americans were negatively labeled and these labels followed the families through their involvement within the systems (Cohen, 2003). Caseworkers had no accountability of the quality of the intake and assessment of the family, thus resulting in poor oversight and accountability for their decisions, and leaving vulnerable families at the hands of caseworkers' subjective and often discriminatory, assessments (Race Equity Review, 2009).

Maltreatment is often associated with poverty, unemployment, and female-headed households, all of which are issues ethnic minorities more often struggle with comparatively. With an absence of social programs or other supportive programs, African American families are often forced into the child welfare and juvenile justice systems (Bilchik & Stagner, 2009). In fact, in a 2002 study in Missouri that examined school-aged children reported for maltreatment, those receiving child welfare services were compared to those cases that were closed after investigation. It was reported that African American children who received in-home services had a lower risk of incarceration than those without services or those who entered out-of-home placements (Jonson-Reid, 2004). This was especially apparent for cases associated with types of neglect. Providing in-home services to the family versus placing a child out of their home is a crucial protective factor that must be looked into further.

#### *Outcomes of Children/Youth in Dual Jurisdictions*

Outcomes of children and youth in dual jurisdictions vary depending on their experiences in these systems and the support available from the family and community once they are released. About 20,000 adolescents leave foster care each year because they reach 18 years of age, and when compared to the general population, these youth face higher rates of emotional disturbance and risks for poor physical

and mental health (Scannapieco, Connell-Carrick & Painter, 2007). In fact, 25 percent of teens leaving foster care experience homelessness, and a higher proportion of former foster care youth are found in the criminal justice system (Scannapieco et. al, 2007). Pandiani, Schacht, and Banks (2001) support this notion in a study that found that males who were served by the child welfare and juvenile justice systems had the highest incarceration rate, whereas females had the highest maternity rates. McMillen and Tucker (1999), also found that of the 300 participants in the Missouri Division of Family Services, one in every five female who exited foster care was either pregnant or a parent.

Youth that age out of the child welfare system risk the threat of homelessness and involvement in deviant activities, and subsequently the criminal justice system. Collins, Paris, and Ward, (2008) found that almost half (41 percent) of their study participants who had been recently discharged from child welfare said they wished they had been adopted because they would have family connection and support system. Older youth leaving the foster care system without family support or an appropriate level of independence have lower levels of education, low rates of high school completion, high level of substance abuse, low levels of employment, high likelihood of involvement in criminal activities, and homelessness. In a study of youths exiting the Texas Department of Family and Protective Services Foster Care Program, youths felt vulnerable about leaving the system and expressed the need for a support network that is interdependent and empowering, the opportunity to make autonomous decisions about their future, and the ability to develop leadership skills that will help facilitate better outcomes (Scannapieco et al., 2007).

A study by Ryan, Herz, Hernandez and Marshall (2007) reported that there was a “child welfare system bias” in favor of processing misbehaving youth in the child welfare system through the juvenile justice system. With a level of prejudice existing in the child welfare system in relation to juvenile justice involvement, in a situation where minor offenses would not have involved police or the courts if a youth had been living with their parents, a teenager in a foster home or group home setting is commonly subjected to juvenile detention.

### *Action-Based Research*

In addressing the issues faced by children, youth, and their families in dual jurisdictions, some states have recognized the special needs of this dually served population, while others are only beginning to acknowledge their vulnerability. Few states and their advocates have provided services that are beyond lip service. Described below are a few of these initiatives.

To understand if and/or how states are addressing dual jurisdiction youth, the Juvenile Justice and Research and Evaluative Divisions of the Child Welfare League of America conducted a nationwide survey. The study was looking to uncover collaborative initiatives on state levels. From 43 participating states, 35 reported that they formally or informally had a coordinated effort to serve dual jurisdiction youth and ten states reported separate funds or resources particular to dual jurisdiction youth (Petro, 2006). Barriers regarding coordinating services was also studied, with the most common being funding. Also, a lack of roles and responsibilities for state agencies inhibited a coordination of services. Even with collaboration between services, with the limitations involved, a majority of states reported that the needs of the dual jurisdiction population are not being met. Furthermore, the National Data Analysis System reported that in 2004, ten states maintained a tracking system for dual jurisdiction youth. Challenges to coordinating tracking of these youth were high costs, confidentiality, and the use of different identification numbers in each system.

The National Center for Juvenile Justice contracted with the Arizona Supreme Court Administrative Office of the Courts in 2003 to study dual jurisdiction youth to understand how to better serve them. Arizona has a Juvenile Online Tracking System to track the state’s dependency and delinquency cases. There were several patterns of crossover identified through assessing the tracking system. For instance, children over the age of eight who served in the child welfare system were likely to become involved in the juvenile justice system, with the likelihood of increasing substantially for children 14 years of age and older. Seventy-three percent of these dependents had been referred to the court on at least one delinquency referral. Dual jurisdiction youth cases were a large part of the court’s deeper-end of the delinquency caseload (National Center for Juvenile Justice, 2004).

California acknowledged the need for coordination between the child welfare and juvenile justice systems to provide a continuity of services to youth and families. California law recognized the child welfare and juvenile justice relationship through California Welfare and Institutions Code (WIC) section 241.1. By mandating that whenever a minor could possibly fit the description for Dependency Court (child welfare) and a ward of the Delinquency Court (juvenile justice), a joint assessment must be done by the county probation department and the county child protective services department. Together, they make a recommendation on which status best serves the interest of the child or youth since the law does not allow a minor to be committed to both simultaneously. It is also interesting to note that before this recognition of the relationship between the child welfare and juvenile justice systems, if a youth was already in Dependency Court, and was charged with and found to have committed a juvenile offense, their dependency status was immediately terminated and they were declared a ward of the Delinquency court. There was no coordination between the systems or understanding of the need for continuity of services for the minor (Nash & Bilchik, 2009).

In 2004, California Legislature enacted Assembly Bill 129 (AB 129), which made amendments to WIC 241.1. Instead of separating the Dependency and Delinquency Courts, the pilot project authorized in AB 129, allowed counties to create a dual status system in which a youth could simultaneously continue under the jurisdiction of both courts (Nash & Bilchik, 2009). If a county chooses to implement a formal dual status system, the county's Chief Probation Officer, Director of Children and Family Services, and Presiding Judge of the Juvenile Court would have to all agree to do so. This pilot project recognized potential benefits to integrating the child welfare and juvenile justice systems by providing a continuity of services to children and families involved, having collaboration between social workers and judges, and having possible brief stays under delinquency jurisdiction (Nash & Bilchik, 2009).

In Los Angeles County, the AB 129 Pilot Project was implemented with help from the Child Welfare League of America. Different from WIC 241.1, this project requires joint assessments by the Multidisciplinary Teams (MDT), consisting of a social worker, a clinician from the Department of

Mental Health, a probation officer, and an education advocate. The MDT coordinates efforts on both sides of the Dependency and Delinquency Courts, looks holistically at the child, and assesses them based on the child's strengths, needs, and risks they might cause the community (Nash & Bilchik, 2009).

In 2008, a Champions Agreement was announced to ensure Florida children maximum services by coordinating five state agencies who will support each other's policies in order to better serve vulnerable children. These five agencies include the Departments of Children and Families, Juvenile Justice, Health, and the Agency for Health Care Administration and the Agency for Persons with Disabilities. Representatives from the various state agencies meet regularly in order to develop interagency strategies and initiatives that promote quality collaboration between services (Florida Department of Juvenile Justice, 2008).

One Family, One Judge is another state-level initiative directed at dual jurisdiction children, youth, and families. Because judges from either the child welfare or juvenile justice system can order conflicting rulings on children involved in both systems, the 'One Family, One Judge' program allows one judge to preside over the entire portfolio of cases concerning a particular family (One Family, One Judge, 2003). Along with the presiding judge's better understanding of the family's situation and involvement in multiple systems, family members can also get a clear understanding of the judge's perspective, and what is being asked of them.

Furthermore, New York City has a major initiative to properly integrate systems for children, youth, and families. In February 2007, the New York City Administration for Children Services (ACS) developed an initiative to provide intensive, family services for youth involved in the juvenile justice system, with particular acknowledgement of those entangled in the child welfare system. The city found that 80 percent of all youth and families involved in this juvenile justice initiative already had an existing case or involvement with ACS. The initiative serves to address challenges of child welfare that can often drive children and youth to engage in delinquent behaviors (Knight, 2007).

## Analysis and Discussion

Comparatively, the bio-psycho-social-spiritual life outcomes of children and youth in dual jurisdictions across the country are evidently worse. Research

has attest to a direct link between involvement in the child welfare and juvenile justice systems simultaneously or being transported back and forth, and poor, unhealthy life outcomes. Sources of risk for and/or protection from poor and unhealthy life outcomes are many including individual, family, peer, school, community, and other societal-based factors. However, the co-existence of these systems in the lives of children and youth generate specific systems-related factors as possible sources of risk and/or protection for unhealthy outcomes. In other words, regardless of sources of risk or protection, the very fact that the lives of these children and youth are touched by these dual jurisdictions, legal and child welfare systems, often contributes to poor and unhealthy life outcomes. Lack of responsive services and appropriate decision making processes as well as coordination of these services, are a few of these systems-related factors that may negatively impact these dual jurisdiction youth.

Framed by selected theoretical frameworks, this analysis of the emerging literature generates several significant conclusions that may contribute to future understanding and efforts to bridge the two systems in the best interest of the child. First, current collective knowledge base is sparse, and professional skills and initiatives to prevent negative outcomes of dual jurisdictions are lacking, often disjointed and have not always worked. In terms of knowledge base and professional skills, Faller, Grabarek, and Vandervort (2008) conducted a study in one Midwest state in which they found that social work education was predictive of higher comfort level of child welfare workers in the court system. Having a worker who is comfortable navigating the court system and advocating for dual jurisdiction youth may very well result in positive outcomes. Hollingsworth (2009) further reiterated the impact of worker beliefs and attitudes on their decision making processes particularly in relation to children and youth of color. Likewise, The Center for the Study of Social Policy (2009) examined the state of Michigan's Child Welfare System and found that worker beliefs such as African American families and communities are incapable of positively influencing their children, an ideology that led to the removal of tribal and immigrant children in the 19<sup>th</sup> century, negatively impacted the outcomes of these African American children and youth. Results also showed the lack of system accountability for outcomes of services and the lack of advocacy and responsive policy and legal infrastructures

as contributive to unfair outcomes among these African American children, youth and their families. Unfortunately, this is standard operation that has been historically embedded in the child welfare system. This study confirms the urgent need for alignment of systems, reconstructing of ideologies, and best practices particularly for children and youth of color who are transported between the child welfare and juvenile justice systems.

Second, in cases of actual dual jurisdictions, initiatives are far too few, often operate separately, and are under-funded thus, they have not always worked. However, recent initiatives may change this scenario. For example, in the state of Michigan, an initiative to improve child welfare practices has recently begun as the University of Michigan-Ann Arbor developed and implemented its Children and the Law program funded at \$5 million by the U.S. Children's Bureau of Health and Human Services, to assess and improve child welfare representation in the courts across the country (U.S. Federal News Service, Washington D.C., 2009). Adequate attorney representation of children and youth in dual jurisdictions are indeed urgently needed in every state in the U.S. (Goodman, Edelstein, Mitchell, and Myers, 2008). Unfortunately, sometimes reform and collaboration occurs as a result of deaths or injuries. The Michigan Children's Rights lawsuit resulted in a settlement that requires overhauling the systems with federal oversight and standards of accountability that facilitates administrative restructuring, social work curricula and university education, continuing education and training on social context and culture, and building a working relationship that include children, youth, and families as partners. This current effort to bridge the two systems for children and youth in the state of Michigan serves as a guiding light for commitment to improvements in services to dual jurisdictions youth across the country.

Third, current conceptualization of the issue and consequently of solutions to the issue have not always fully taken into consideration an eco-systemic, holistic, strengths, and culturally relevant perspectives. This is critical given the context of growing multi-cultural populations in the U.S. and the noted ethnic/racial disproportionality of children and youth in dual jurisdictions. In some states in the U.S., this work has begun however it continues to require close collaboration and monitoring.

Ortega and Faller (2009) discussed their work with Michigan's child welfare system focusing on shifting paradigms to integrate cultural humility (respect, honor, and understanding of another's culture) and intersectionality as imperatives in training and practice. Part of their efforts is a curriculum that attempts to institutionalize the idea of appreciating the role of culture in parenting and family well-being as well as in the decision making process and services. In particular is the need to improve culturally sensitive services to populations of color before making a decision to remove a child as well as the retention of workers of color. Furthermore, The Center for the Study of Social Policy (2009) also suggests the need to embrace the inherent strengths and abilities of these families to protect and care for their children; to engage extended families as partners in decision making meetings and service plans; to find and strengthen community resources; and to utilize policies and practices that have been designed to ensure fair outcomes. The need for coordination in these two systems and providing culturally responsive services is perhaps more urgent for immigrant and refugee children and youth who are struggling with the acculturation process and sometimes the loss of families (Luster, Saltarelli, Rana, Qin, Bates, Burdick, & Baird, 2009).

Relative to these conclusions, re-thinking the issue of prevention from inappropriate involvement in dual jurisdictions requires re-thinking the meaning of child/youth in environment and engaging strengths-based factors that would serve as protection from ineffective involvement in dual jurisdictions as well as exiting the system with healthy outcomes. However, when dual jurisdictions occur, there is an absolute need to re-think how these systems can work together in partnership with other systems in the child/youth's life to provide effective strengths-based interventions that would generate healthy outcomes. Given the latter, an ecosystems perspective bears the holistic notion that a child/youth's family, peers, school, community, and the child welfare and juvenile justice systems can serve as partners in nurturing the child/youth in exiting these systems as healthy and contributing citizens.

Moreover, among the many systems-based risk or protective factors for children/youth in dual jurisdictions, decisions of workers have the greatest influence on outcomes. For ethnic minority children/

youth and their families, these decisions have not been positive nor are the outcomes. Conversely, a partnership that produces positive outcomes also requires the positive contributions of families and communities. Conceptualization of dual jurisdictions on multiple levels of positive contributions or protective factors will increase the likelihood of healthy life outcomes. In essence, partnerships among these systems must advocate for and provide sufficient access to programs, services, opportunities, and resources. This is especially significant for ethnic/racial minority children and youth who are disproportionately represented in dual jurisdictions. Child welfare and juvenile justice representatives must recognize this reality and factors that are contributing to the disparity.

#### *Implications for Research, Education, Policy and Practice*

Expanded and accurate databases are imperative upon which to base effective decisions regarding services needed by children/youth in dual jurisdictions and their families and communities. Research on ethnic/racial disproportionality in dual jurisdictions is desperately needed as we face a more diverse population in the U.S. Life outcomes of these children/youth after dual systems involvement requires further evaluation. Evidence-based models for building effective partnerships between the legal and children welfare systems and families and communities, in nurturing these children/youth to exit as healthy citizens also need timely consideration. Likewise, research on protective factors for involvement in dual jurisdictions is urgently needed.

In terms of implications for policy, raising consciousness of this vulnerable population from an eco-systemic, holistic, and strengths perspective is urgently needed. Furthermore, there is a need to develop specific policies that will consolidate assessments and hearings for dual jurisdiction youth in order to avoid duplication and overlap of resources. This cost effective method will ensure that families involved in both systems have efficient and coordinated services. Specific to hearings, dual jurisdiction children/youth and their families would benefit from consolidated hearings and one attorney of their choice handling both cases.

In relation to social work practice, assessments, decisions, services, and programs for children/youth

in dual jurisdictions must be conceptualized by evidence-based information and guided by theories. To address negative labels and stigmas that are being recklessly assigned to vulnerable children/youth and their families, there needs to be accountability on decisions made by all involved parties. Caseworkers, officers, attorneys, judges, and child advocates must acknowledge and utilize family strengths within the context of the child/youth's culture, rather than the dominant culture. Assessment for challenges in a child/youth's life is important however decisions about prevention and intervention must consider strengths and protective factors. By noting family and cultural strengths, systems personnel can build upon strengths that lead to healthier outcomes.

Furthermore, holistic assessments of child/youth in environment, coordinated services, and interagency collaborations are a necessity. Development of legal and child welfare infrastructures that effectively respond to needs of children and youth in dual jurisdictions are urgently needed. For instance, assessments must be made in the family and cultural context as part of the individualized treatment plan. Systems supports must be provided to parents including legal rights and services, education on healthy parent-child interactions, possible contradictions between cultural of origin and dominant culture and ways to mediate those contradictions. Also, because children are also influenced by their peers, neighborhoods, communities, and cultures, these factors must also be assessed for potential protective or risk factors. By focusing on preventative measures and accessibility to appropriate services, entrance into either the child welfare system or juvenile justice system can be avoided altogether.

Likewise, oversight and accountability of legal and child welfare systems personnel for entrance into the systems and continuity of services while in the systems are crucial. With a lack of communication among systems personnel, e.g., probation officers and caseworkers, a shared child/youth ends up being treated as a "hot potato," with no system taking responsibility for the child/youth. Most importantly, decisions by all systems personnel must be made "in the best interest of the child" and their families. ©

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## References

- Aarons, G., Hazen, A., Leslie, L., Hough, R., Monn, A., Connelly, C., Landdsverk, J., and
- Brown, S. (2008). Substance involvement among youths in child welfare: The role of common and unique risk factors. *American Journal of Orthopsychiatry*, 78(3), 340-349.
- Alltucker, K., Bullis, M., Close, D., and Yovanoff, P. (2006). Different pathways to juvenile delinquency: Characteristics of early and late starters in a sample of previously incarcerated youth. *Journal of Child and Family Studies*, 15(4), 479-492.
- Arizona Dual Jurisdiction Study (2003). *National Center for Juvenile Justice*.  
<http://www.cwla.org/programs/juvenilejustice/AZExecSummary.pdf>
- Becker, H. S. (1963). *Outsiders: Studies in the sociology of deviance*. New York, NY: The Free Press.
- Bilchik, S. (1998). A juvenile justice system for the 21<sup>st</sup> century. *Office of Juvenile Justice and Delinquency Prevention Bulletin*, May, 1-8.
- Bilchik, S. and Stagner, M. (2009). *Racial and Ethnic Disparity and Disproportionality in Child Welfare and Juvenile Justice: A Compendium*.
- Blair, J. (2004). Foster care children are poorly educated, Three-state study charges. *Education Week*, 23(24), 12.
- Blome, W.W.B. (1997). What happens to foster kids: Educational experiences of a random sample of foster care youth and a matched group of non-foster care youth. *Child and Adolescent Social Work Journal*, 14(1), 41-53.
- Bruskas, D. (2008). Children in foster care: A vulnerable population at risk. *Journal of Child and Adolescent Psychiatric Nursing*, 21(2), 70-77.

- Children in the Child Welfare and Juvenile Justice Systems (2004). *National Data Analysis System*. Retrieved April 20, 2009, <http://ndas.cwla.org/data>
- Cohen, E. (2003). Framework for culturally competent decision-making in child welfare. *Child Welfare*, 132, 2, March/April, 145-155.
- Collins, M., Paris, R., and Ward, R. (2008). The permanence of family ties: Implications for youth transitioning from foster care. *American Journal of Orthopsychiatry*, 78(1), 54-62.
- Dale, N., Baker, A., Anastasio, E., and Purcell, J. (2007). Characteristics of children in residential treatment in New York State. *Child Welfare*, 86(1), Jan/Feb, 5-27.
- DiNitto, D., Martin, P. Y., & Harrison, D. F. (1982). Sexual discrimination in higher education. *Higher Education Review*, 14(2), 33-54.
- Devine, P., Coolbaugh, K., & Jenkins, S. (1998). Disproportionate minority confinement: Lessons learned from five states. *Office of Juvenile Justice and Delinquency Prevention Bulletin*, December, 1-12.
- Duggan, D. (2007). Rock-paper-scissors: Playing the odds with the law of child relocation. *Family Court Review*, 45(2), 193-213.
- Fact Sheet of Zero Tolerance* (2009). Building Blocks for Youth. Retrieved April 20, 2009, <http://www.buildingblocksforyouth.org/issues/zerotolerance/facts.html>
- Faller, K.C., Grabarek, M., & Vandervort, F. (2009). Child welfare workers go to court: The impact of race, gender, and education on the comfort with legal issues. *Children and Youth Services Review*, 31, 972-977.
- Florida Department of Juvenile Justice (2008). Retrieved April 20, 2009, <http://www.djj.state.fl.us/Communications/pr/2008/pr092908.html>
- Franklin, C., DiNitto, D. M., & McNeece, C. A. (1997). In search of social work theory. In D. M. DiNitto & C. A. McNeece, *Social work: Issues and opportunities in a challenging profession* (2nd ed., pp. 45-67). Needham Heights, MA: Allyn and Bacon.
- Garfinkel, L.F. (2001). What parents need to know about children with disabilities and the delinquency system. <http://www.pacer.org/jj/parentfactsheet.doc>
- Goodkind, S., Ng, I., & Sarri, R.C. (2006). The impact of sexual abuse in the lives of young women involved or at risk of involvement with the juvenile justice system. *Violence Against Women*, 12(5), 456-477.
- Graves, D. and Mirsky, L. (2007). American Psychological Association report challenges school zero tolerance policies and recommends restorative justice. *International Institute for Restorative Practices*, Sept. issue.
- Hawkins, J. D., Catalano, R. F. & Associates (1992). *Communities that care: Action for drug abuse prevention*. San Francisco: Jossey-Bass.
- Jonson-Reid, M. (2002). Exploring the relationship between child welfare intervention and juvenile corrections involvement. *American Journal of Orthopsychiatry*, 72(4), 559-576.
- Jonson-Reid, M. (2004). Child welfare services and delinquency: The need to know more. *Child Welfare*, 123(2), March/April, 157-173.
- Juvenile Justice Delinquency Prevention Act Fact Book (2007). <http://www.campaign4youthjustice.org/Downloads/Resources/jjdpafactbook.pdf>
- Karoll, B., and Poertner, J. (2002). Judges', caseworkers', and substance abuse counselors' indicators of family reunification with substance-affected parents. *Child Welfare*, 131, 2, March/April, 249-269.
- Knight, S. (2007). Juvenile Justice Initiative Fact Sheet. *New York City Children's Services*.
- Luster, T., Saltarelli, A.J., Rana, M., Qin, D.B., Bates, L., & Burdick, K. (2009). The Experiences of Sudanese Unaccompanied Minors in Foster Care. *Journal of Family Psychology*, 23(3), 386-395.
- Martin, J. J. (1970). *Toward a political definition of delinquency*. U.S. Department of Health, Education, and Welfare, Washington D.C.: U.S. Government Printing Office.
- Martin, P. Y., & O'Connor, G. G. (1989). *The social environment: Open systems applications*. New York: Longman.
- McMillen, J.C. and Tucker, J. (1999). The status of older adolescents at exit from out-of-home care. *Child Welfare*, 128(3), May/June, 339-360.
- McMillen, J.C., Zima, B.T., Scott, L.D., Jr., Auslander, W.F., Munson, M.R., and Ollie, M.T., (2005). Prevalence of psychiatric disorders among older youths in the foster care system. *Journal of the American Academy of Child and Adolescent Psychiatry*, 44, 88-95.
- Murry, C., Williams, J., and Salekin, R. (2006). Juvenile delinquency and family structure: Links to severity and frequency of offending. *The University of Alabama McNair Journal*, 6, 87-98.
- Nash, M. and Bilchik, S. (2009). Child Welfare and Juvenile Justice- Two Sides of the Same Coin, Part II. *Juvenile and Family Justice Today*, 23-25.
- National Center for Juvenile Justice (2004). <http://ncjj.servehttp.com/NCJJWebsite/pdf/dualjurisdiction.pdf>

- One Family One Judge* (2003). The Justice Web Collaboratory, Chicago-Kent College of Law, and Illinois Institute of Technology  
[http://a2j.kentlaw.edu/A2J/system\\_design/Resolution/onef\\_onej.cfm](http://a2j.kentlaw.edu/A2J/system_design/Resolution/onef_onej.cfm)
- Pandiani, J.A., Schacht, L.M., and Banks, S.M. (2001). After children's services: A longitudinal study of significant life events. *Journal of Emotional and Behavioral Disorders*, 9(2), 131-138.
- Petro, J. (2006). Juvenile Justice and Child Welfare Agencies: Collaborating to Server Dual Jurisdictions Youth Survey Report. *Child Welfare League of America*.  
<http://www.cwla.org/programs/juvenilejustice/jjsurveyreport.pdf>
- Race equity review: Findings from a qualitative analysis of racial disproportionality and disparity for African American children and families in Michigan's child welfare system. (2009). *The Center for the Study of Social Policy*.
- Ryan, J.P., Herz, D., Hernandez, P.M. and Marshall, J.M. (2007) Maltreatment and Delinquency: Investigating Child Welfare Bias in Juvenile Justice Processing. *Children and Youth Services Review*, 29(8).
- Scannapieco, M., Connell-Carrick, K., and Painter, K. (2007). In their own words: Challenging facing youth aging out of foster care. *Child Adolescence Social Work Journal*, 24, 423-435.
- Schwartz, I., Rendon, J. and Hsieh, C. (1994). Is child maltreatment a leading cause of delinquency? *Child Welfare*, 73(5), 639-655.
- Slavin, P. (2001). Children's Voice Article: From Child Maltreatment to Delinquency. *Child Welfare League of America*. <http://www.cwla.org/articles/cv0103maltreat.htm>
- The Center for the Study of Social Policy (2009). Race equity review: Findings from a qualitative analysis of racial disproportionality and disparity for African American children and families in Michigan's Child Welfare System. Retrieved December 4, 2009, <http://www.cssp.org/uploadFiles/michigan%20report%201%2014%2009%20FINAL.pdf>
- The Network on Transitions to Adulthood (2006). Retrieved April 20, 2009, <http://www.transad.pop.upenn.edu/trends/vulnerable.html>
- Wickliffe, J. (2007). Why juveniles commit crimes. *Yale-New Haven Teachers Institute*. Retrieved April 20, 2009, <http://www.yale.edu/ynhti/curriculum/units/2000/2/00.02.07.x.html>
- Wiig, J. (2002). *Understanding Child Maltreatment and Juvenile Delinquency: Foundations for Effective Responses*, 11-45.
- Wingfield, K., Klempner, T., and Pizzigatik, K. (2000). Building bridges: Child protection/alcohol and drug partnership. *Issues of Substance*, 5(2), 5-15.

## The Michigan Child Welfare Law Journal Call for Papers

The editorial board of *The Michigan Child Welfare Law Journal* invites manuscripts regarding current issues in the field of child welfare. The *Journal* takes an interdisciplinary approach to child welfare, as broadly defined to encompass those areas of law that directly affect the interests of children. The editorial board's goal is to ensure that the *Journal* is of interest and value to all professionals working in the field of child welfare, including social workers, attorneys, psychologists, and medical professionals. The *Journal's* content focuses on practice issues and the editorial board especially encourages contributions from active practitioners in the field of child welfare. All submissions must include a discussion of practice implications for legal practitioners.

The main text of the manuscripts must not exceed 20 double-spaced pages (approximately 5000 words). The deadline for submission is May 1, 2010. Manuscripts should be submitted electronically to [kozakiew@msu.edu](mailto:kozakiew@msu.edu). Inquiries should be directed to:

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# Spotlight on: Voices for Michigan's Children

Since 1992, Voices for Michigan's Children has been an effective, independent and nonpartisan advocacy organization, creating social change through improved public policies and investments for children and their families.

Michigan's Children monitors federal and state policy decision-making; provides information to policymakers, communities, the media and the public; works directly with legislators and other policymakers; and gives communities, parents and youths the tools they need to advocate on their own behalf.

Through our Budget Watch project, Michigan's Children provides a wide range of information on budget decisions including analyses of pending budget proposals, budget advocacy tips, action alerts, and a weekly e-bulletin. In addition, Michigan's Children has worked aggressively to ensure that children are front and center in the budget debates by engaging communities in budget advocacy and communicating to the public and policymakers through the media and other communications tools.

We believe that all children have the right to be healthy, safe, educated and economically secure. Vulnerable children need informed and persuasive voices when decisions are being made that affect them. Michigan's Children has expanded public awareness about the impact of public investments in children and families most affected by state budget decisions, with a particular focus on low-income communities and communities of color.

Michigan's Children also works with national organizations, such as Voices for America's Children, First Focus, and America's Promise Alliance to improve federal policies that impact children and to increase funding for programs that help change the odds of success for vulnerable children. To learn more, go to our website: [www.michiganschildren.org](http://www.michiganschildren.org)



## Health

### Bills Signed Into Law...

Public Act 60 (SB 586) Health and Safety (Stamas) Modifies the financing and management of the state's health and safety fund. Signed by the Governor 7/1/09; Effective 7/14/09.

HB 5126 Mental Health (McDowell) Eliminates sunset on provision for community mental health regarding carry forward of operating margin. Introduced and referred to Health Policy (6/25/09). Passed (9/25/09). Passed with S-1 (9/30/09). Approved by the Governor (10/1/09); Effective (10/1/09).

### Bills In Action...

SB 321 Mental Health (Kahn) Expands the powers of community mental health services authority governing board. Introduced and referred to Health Policy (3/4/09). Reported (3/19/09). Passed (5/13/09). Received by the House and referred to Health Policy (5/13/09).

HB 4183 Autism Treatment (Ball) Provides insurance coverage for certain treatments related to autism. Introduced and referred to Health Policy (2/5/09). Reported with Substitute H-1 (6/9/09). Passed with Substitute H-3 and amendment adopted (6/24/09). Received by the Senate and referred to Economic Development and Regulatory Reform (6/25/09).

HB 4402 Lice Treatments (Scripps) Prohibits certain sales or use of human lice treatments containing lindane. Passed (3/17/09). Received by the Senate and referred to Government Operations and Reform (3/18/09).

HB 4475 Autism Research (Ball) Creates the autism research fund. Introduced and referred to Health Policy (2/26/09). Passed (4/2/09). Received by the Senate and referred to Finance (4/21/09).

HB 4476 Autism Coverage (Angerer) Provides for insurance coverage for certain treatments related to Autism. Introduced and referred to Health Policy (2/26/09). Reported with Substitute H-1 (6/9/09). Passed with Substitute H-3 and amendment adopted (6/24/09). Received by the Senate and referred to Economic Development and Regulatory Reform (6/25/09).

### Other Introduced Legislation...

SB 47 Drug Website (Kahn) Requires Department of Community Health to establish a prescription drug website to education consumers about prices. Introduced and referred to Health Policy (1/27/09).

SB 171 Mental Health (Brater) Requires priority for providing mental health services to individuals diverted from jail. Introduced and referred to Judiciary (2/3/09).

SB 177 Autism (Hunter) Creates autism research fund. Introduced and referred to Finance (2/3/09).

SB 178 and SB 179 Hearing Tests (Hunter) Provides for health insurance of certain audio logical screening tests and treatment. Introduced and referred to Economic Development and Regulatory Reform (2/3/09).

SB 278 High School Steriod Ban (Switalski, M.) Expands requirement to participate in high school athletics to include steroid screening and counseling. Introduced and referred to Education (2/19/09).

SB 279 School Soft Drink Ban (Switalski, M) Prohibits sale or distribution of soft drinks to students in schools. Introduced and referred to Education (2/19/09).

SB 356 Medical Benefits (Patterson) Regulates medical benefit plan carriers offering incentives to physicians for prescribing certain medications. Introduced and referred to Health Policy (3/10/09).

SB 359 & SB 360 Autism Insurance (Hunter) Provides for health insurance coverage of autism treatment. Introduced and referred to Economic Development and Regulatory Reform (3/11/09).

SB 421 Mental Health (Jacobs) Creates community mental health consolidation plan. Introduced and referred to Families and Human Services (4/1/09).

SB 423 & SB 424 Vaccines (Jacobs) Requires health insurance to cover costs of required vaccines. Introduced and referred to Health Policy (4/1/09).

SB 446 Medicaid (Van Woerkom) Modifies premiums for Medicaid freedom to work program. Introduced and referred to Families and Human Services (4/21/09).

SB 447 Medicaid (Gleason) Modifies income eligibility for Medicaid program. Introduced and referred to Families and Human Services (4/21/09).

SB 579 Health Act (George) Creates MI-Health Act. Introduced and referred to Health Policy (5/14/09).

SB 580 Individual Health Benefit Plans (Pappageorge) Regulates individual health benefits plans. Introduced and referred to Health Policy (5/14/09).

SB 581 Blue Cross Health Coverage (Janseon) Amends the Blue Cross Blue Shield Act to comply with requirements of the MI-Health Act. Introduced and referred to Health Policy (5/14/09).

SR 56 Childhood Cancer (Thomas) Commemorates June 6 as Childhood cancer survivor's day. Adopted (5/21/09).

SR 57 Healthy Schools (Kahn) Memorializes Congress to enact S. 1034, the Healthy Schools Act of 2009. Adopted (5/21/09).

HB 4010 Infection Rates (Liss) Requires hospitals to disclose hospital-acquired infection rates. Introduced and referred to Health Policy (1/22/09).

HB 4522 Kid Products (Meadows) Prohibits bisphenol A in children's products. Introduced and referred to Great Lakes and Environment (3/10/09).

HB 4583 H.I.V. Test (Schmidt, R.) Eliminates requirement to obtain informed consent before testing for human immunodeficiency virus and provides an option to decline test in writing. Introduced and referred to Health Policy (3/17/09).

HB 4597 Mental Health Coverage (Warren), HB 4598 (Pearce), HB 4599 (Johnson), & HB 4600 (Byrnes) Provides that coverage for inpatient and outpatient mental health and substance abuse treatment can't be more restrictive than coverage for inpatient and outpatient medical treatment. Introduced and referred to Health Policy (3/17/09).

HB 4707 Medicaid Eligibility (Slezak) Modifies income eligibility for Medicaid. Introduced and referred to Families and Children's Services (3/26/09).

HB 4708 Medicaid (Schutmayer) Modifies premiums for Medicaid "Freedom to Work" program. Introduced and referred to Families and Children's Services (3/26/09).

HB 4809 Mental Health Assessment (Jones, Rick) Clarifies assessment language in mental health code for people

needing treatment. Introduced and referred to Health Policy (4/21/09).

HB 4831 Medicaid Mental Treatment (McDowell) expands eligibility for Medicaid reimbursement psychiatrists providing treatment outside of community mental health services programs or specialty prepaid medical programs. Introduced and referred to Health Policy (4/23/09).

HB 4878 Diabetes (Jones, Rick) Provides for diabetes medical management plan in school setting and diabetes training guidelines for certain school employees. Introduced and referred to Health Policy (5/5/09).

HB 4934 Health Care (Corriveau) Regulates individual health care coverage. Introduced and referred to Health Policy (5/13/09).

HB 4935 Health Care Coverage (Courlouris) Provides certain changes to Blue Cross Blue Shield of Michigan's coverage and rate setting. Introduced and referred to Health Policy (5/13/09).

HB 4937 E-Prescriptions (Segal) Requires e-prescriptions for Medicaid. Introduced and referred to Health Policy (5/13/09).

HB 4938 Uninsured Drug Purchases (Schmidt, R.) Creates a bulk prescription drug purchasing cooperative and drug program for the uninsured and underinsured. Introduced and referred to Health Policy (5/13/09).

HB 4939 Health Assessment Website (Womack) Requires Department of Community Health to create, maintain and evaluate a health assessment website. Introduced and referred to Health Policy (5/13/09).

HB 5096 Mental Parity (Meadows) Establishes mental health parity under certain circumstances. Introduced and referred to Health Policy (6/16/09).

HB 5097 Mental Parity (Meadows) Establishes mental health parity under certain circumstances. Introduced and referred to Judiciary (6/16/09).

HB 5231 Prescription Drugs (Meadows) Creates unused prescription drug repository program and allows it to distribute to out-of-state charitable repositories. Introduced and referred to Health Policy (8/4/09).

HR 39 Health Care (Rogers) Memorializes congress to take the necessary short and long term actions to make health insurance coverage affordable for millions of Americans without employment based coverage, including removing any requirement to exhaust COBRA coverage prior to seeking coverage in the individual market. Introduced and referred to Labor (3/4/09).

HR 71 Autism Research (Swiltalski, J.) Urges Congress to increase funding for research into causes and treatment of autism. Introduced and referred to Health Policy (4/21/09). Passed (4/28/09).

HR 58 Health Care (Gregory) Memorializes Michigan's Congressional delegation to take the lead in creating an American solution to our nation's health care crisis. Introduced and referred to Health Policy (3/26/09).

## Early Childhood

### Bills signed into law...

Public Act 57 (HB 4450) Child Seat (DeShazor) Requires child restraint safety seat to be in rear seat if vehicle has rear seat and removes nursing child exemption. Signed by the Governor 6/25/09; Immediate Effect 6/25/09.

### Bills In Action...

HB 4763 Child Products (Nerat) Creates a short title and allows for promulgation of rules regarding children's safe products act. Introduced and referred to Great Lakes and Environment (4/2/09). Reported (4/30/09). Passed (5/13/09). Received by the Sentate and referred to Health Policy (5/14/09).

HB 4764 Child Products (Geiss) Adds definition to children's safe product act. Introduced and referred to Great Lakes and Environment (4/2/09). Reported with substitute H-1 (4/30/09). Passed with substitute H-1 adopted (5/13/09). Received by the Sentate and referred to Health Policy (5/14/09).

HB 4765 Child Products (Warren) Requires department to establish list of chemicals of concern. Introduced and referred to Great Lakes and Environment (4/2/09). Reported with substitute H-1 (4/30/09). Passed with substitute H-1 adopted (5/13/09). Received by the Sentate and referred to Health Policy (5/14/09).

HB 4766 Child Products (Segal) Requires manufacturers and distributors to report certain information about child product safety. Introduced and referred to Great Lakes and Environment (4/2/09). Reported with substitute H-2 (4/30/09). Passed with substitute H-2 adopted (5/13/09). Received by the Sentate and referred to Health Policy (5/14/09).

HB 4767 Child Products (Haase) Allows departments to participate in interstate activities. Introduced and referred to Great Lakes and Environment (4/2/09). Reported with substitute H-1 (4/30/09). Passed with substitute H-1 adopted (5/13/09). Received by the Sentate and referred to Health Policy (5/14/09).

HB 4768 Child Products (McDowell) Requires report to the Legislature regarding children's safe products act. Introduced and referred to Great Lakes and Environment (4/2/09). Reported (4/30/09). Passed (5/13/09). Received by the Sentate and referred to Health Policy (5/14/09).

HB 4769 Child Products (Slavens) Allows department to initiate enforcement actions upon violation and request of attorney general to enjoin the sale of children's products. Introduced (4/2/09). Reported with substitute H-2 (4/30/09). Passed with substitute H-2 adopted (5/13/09). Received by the Sentate and referred to Health Policy (5/14/09).

### Other Introduced Legislation...

SB 62 Early Childhood Education (Jacobs) Allows intermediate school districts to request millage to establish early childhood education program. Introduced and referred to Education (1/27/08).

SB 724 Child Care Database (Jansen) Expands information to five years on database of child care providers. Introduced and referred to Families and Human Services (8/5/09).

## Budget Bills and Revenue

### Bills Signed Into Law...

Public Act 3 (HB 4582) Supplemental (Gonzales) Provides for mulidepartment supplemental for certain fiscal years. Signed 3/31/09; Effective 3/31/09.

Public Act 7 (HB 4258) Supplemental (Cushingberry) Provides for mulitdepartmental supplemental appropriations. Signed by the Governor (4/6/09). Effective (4/21/09).

Public Act 24 (SB 4309) SUPPLEMENTAL (Cushingberry) Provides supplemental appropriations for the 2008-09 fiscal year. Signed May 12, 2009; Effective May 12, 2009.

Public Act 38 (HB 4308) Supplemental (Cushingberry) Provides for supplemental appropriations for the 2008-09 fiscal year. Signed 6/10/09; Effective 6/10/09.

Public Act 60 (HB 4310) Supplemental (Cushingberry) Provides supplemental appropriations for the 2008-09 fiscal year. Signed by the Governor (7/01/09); Effective (7/14/09).

Public Act 73 (HB 4721) School Budget (Brown, T.) Provides for multisection school aid zero budget bill for 2008-2009. Signed July 9, 2009; Effective July 9, 2009.

Public Act 79 (SB 334) Supplemental Appropriations (Jelinek) Makes supplemental appropriations for 2008-09. Introduced and referred to Appropriations Committee. Reported with Substitute S-1 (5/27/09). Passed 6/18/09. Received by the House and referred to Appropriations (6/23/09). Passed with substitute H-1 (8/19/09). House substitute H-1 concurred in Senate (8/26/09). Approved by the Governor (9/9/09); Effective (9/9/09).

### Bills In Action...

SB 248 Human Services (Hardiman) Sets 2009-2010 budget for the Department of Human Services. Introduced and referred to Appropriations (2/19/09). Reported with Substitute S-1 (3/31/09). Passed. Received by the House and referred to Appropriations (6/18/09). Reported with recommendation to add substitute H-4 (6/25/09). Passed with Substitute H-4 adopted (6/25/09). House Substitute H-4 non-concurred in by the Senate (6/26/09).

HB 4311 Supplemental (Cushingberry) Provides supplemental appropriations for the 2008-09 fiscal year. Introduced and referred to Appropriations (2/17/09). Reported with Substitute H-1 (6/10/09). Passed with Substitute H-3 (9/2/09). Received by the Senate and referred to Appropriations (9/9/09).

HB 4436 D.C.H Budget (McDowell) Executive Budget for the Department of Community Health. Introduced and referred to Appropriations. Reported with Substitute H-1 (4/1/09). Passed with Substitute H-5 adopted (4/22/09). Received by the Senate and referred to Appropriations (4/23/09). Passed with Substitute S-1 adopted (6/24/09).

HB 4438 Education Budget (Brown, T.) Executive budget for the Department of Education. Introduced and referred to Appropriations (2/24/09). Reported (4/2/09). Passed with Substitute H-1 and amendments adopted (4/2/09). Received by the Senate and referred to Appropriations (4/21/09). Reported with Substitute S-1 adopted (6/18/09). Passed with substitute S-1 adopted (6/23/09). Returned from the Senate with substitute H-3 not concurred in (6/23/09).

HB 4447 School Aid Budget (Brown, T.) Executive budget for K-12 schools. Introduced and referred to Appropriations (2/24/09). Reported with Substitute H-1 (4/2/09). Passed with Substitute H-1 and Amendments Adopted (4/2/09). Received by the Senate and referred to Appropriations (4/21/09). Passed with substitute S-1 (6/24/09).

HB 4477 Autism Checkoff (Angerer) Creates the contribution designation for autism research fund in the income tax. Introduced and referred to Health Policy (2/26/09). Reported (4/1/09). Passed (4/2/09). Passed. Received by the Senate and referred to Finance (4/21/09). Reported with substitute S-1 adopted (6/18/09).

Other Introduced Legislation...

SB 74 Budget Deadline (Pappageorge) Establishes target deadline of May 30 of each year to complete passage of state budget. Introduced and referred to Finance (1/27/08).

SB 75 Back to School Tax Holiday (Pappageorge) Provides for annual back to school sales tax holiday for clothing and supplies. Introduced and referred to Finance (1/27/08).

SB 95 2008-2009 Supplemental (Jelinek) Provides multi-department supplemental appropriations for 2008-09. Introduced and referred to Appropriations (1/28/08).

SB 210 School Aid Supplemental (Jelinek) Provides a supplemental for the 2009 School Year. Introduced and referred to Appropriations (2/11/09).

SB 241 Community Health (Kahn) Sets 2009-10 budget for Department of Community Health. Introduced and referred to Appropriations (2/19/09).

SB 242 Education (Jelinek) Sets 2009-2010 budget for the Department of Education. Introduced and referred to Appropriations (2/19/09).

SB 252 School Aid (Jelinek) Sets 2009-10 budget for K-12 school aid. Introduced and referred to Appropriations (2/18/09).

SB 262 School Aid (Jelinek) Sets the 2009-2010 budget for K-12 school aid. Introduced and referred to Appropriations (2/19/09).

SB 299 2009-10 Executive Budget for Community Health (Cherry) 2009-10 budget for the Department of Community Health. Introduced and referred to Appropriations (3/3/09).

SB 301 2009-10 Executive Budget for Education (Switalski, M.) 2009-10 budget for the Department of Education. Introduced and referred to Appropriations (3/3/09).

SB 306 2009-10 Budget for DHS (Switalski, M.) 2009-10 budget for the Department of Human Services. Introduced and referred to Appropriations (3/3/09).

SB 310 2009-10 budget for School Aid (Switalski, M.) 2009-10 budget for K-12 School Aid. Introduced and referred to Appropriations (3/3/09).

SB 390 Appropriations (Switalski, M.) Provides multidepartmental supplemental budget. Introduced and referred to Appropriations (3/17/09).

SB 480 School Aid Distribution (Kahn) Modifies school aid distribution. Introduced and referred to Appropriations (4/28/09). Passed (5/14/09).

SB 608 Appropriations (Jelinek) Makes Supplemental appropriations for the 2009-10 fiscal year. Introduced and referred to Appropriations (5//26/09).

SB 630 Autism Research (Thomas) Establishes income tax check off contribution designation for autism research fund. Introduced and referred to Finance (6/11/09).

SB 637 Neighborhood School Funding (Cassis) Amends school aid act to provide funding for neighborhood schools. Introduced and referred to Education (6/11/09).

SCR 13 Stimulus (Bishop) Memorializes Congress to provide for waivers from requirements attached to stimulus funding that would hamper the state's efforts to meet its constitutional obligation to balance future budgets. Adopted (6/17/09). re-referred to government Operations (6/17/09).

HB 4346 Foundation Allowance (Slavens) Requires Legislature to work toward equal foundation allowance for all school districts. Introduced and referred to Appropriations (2/19/09).

HB 4350 Supplemental (Cushingberry) Provides for a multidepartment supplemental for certain fiscal years. Introduced and referred to Appropriations (2/19/09).

HB 4351 Supplemental (Cushingberry) Provides for a multidepartment supplemental for certain fiscal years. Introduced and referred to Appropriations (2/19/09).

HB 4395 Boy Scouts (Mayes) Creates the Boy Scouts of Michigan Fund Act under the income tax. Introduced and referred to Tax Policy (2/24/09). Re-referred to Families and Children's services (4/1/09).

HB 4396 Boy Scouts (Opsommer) Provides for an income tax checkoff for the Boy Scouts of Michigan fund. Introduced and referred to Tax Policy (2/24/09). Re-referred to Families and Children's services (4/1/09).

HB 4606 Supplemental (Havenman) Provides supplemental appropriations for the Michigan Strategic Fund. Introduced and referred to Appropriations (3/17/09).

HB 4609 School Spending (Meltzer) Provides for expenditure reporting requirements for school districts and public school academies. Introduced and referred to Education (3/18/09).

HB 4628 School Spending (DeShazor) Revises expenditure reporting requirements for intermediate school districts. Introduced and referred to Education (3/18/09).

HB 4666 School Funds (Knollenberg) Provides for prohibition on certain uses of school district funds. Introduced and referred to Education (3/19/09).

HB 4855 Supplemental (Brown, T.) Provides for multisection school aid zero supplemental budget bill for 2009 fiscal year. Introduced and referred to Appropriations (4/29/09).

HB 4856 Supplemental (Brown, T.) Provides for multisection school aid zero supplemental budget bill for 2009 fiscal year. Introduced and referred to Appropriations (4/29/09).

HB 4857 Supplemental (Brown, T.) Provides for multisection school aid zero supplemental budget bill for 2009 fiscal year. Introduced and referred to Appropriations (4/29/09).

HB 4858 Supplemental (Brown, T.) Provides for multisection school aid zero supplemental budget bill for 2009 fiscal year. Introduced and referred to Appropriations (4/29/09).

HB 4859 Supplemental (Brown, T.) Provides for multisection school aid zero supplemental budget bill for 2009 fiscal year. Introduced and referred to Appropriations (4/29/09).

HB 4860 Supplemental (Brown, T.) Provides for multisection school aid zero supplemental budget bill for 2009 fiscal year. Introduced and referred to Appropriations (4/29/09).

HB 4861 Supplemental (Brown, T.) Provides for multisection school aid zero supplemental budget bill for 2009 fiscal year. Introduced and referred to Appropriations (4/29/09).

HB 4994 Foundation Allowance (Melton) Revises School Aid foundation allowance calculation for certain districts. Introduced and referred to Education (5/26/09).

HB 5012 Supplemental (Cushingberry) Provides for a multidepartment supplemental for certain fiscal years. Introduced and referred to Appropriations (5/28/09).

HB 5013 Supplemental (Cushingberry) Provides for a multidepartment supplemental for certain fiscal years. Introduced and referred to Appropriations (5/28/09).

HB 5014 Supplemental (Cushingberry) Provides for a multidepartment supplemental for certain fiscal years. Introduced and referred to Appropriations (5/28/09).

HB 5015 Supplemental (Cushingberry) Provides for a multidepartment supplemental for certain fiscal years. Introduced and referred to Appropriations (5/28/09).

HB 5016 Supplemental (Cushingberry) Provides for a multidepartment supplemental for certain fiscal years. Introduced and referred to Appropriations (5/28/09).

HB 5025 Health Funds (Crawford) Modifies health and safety fund. Introduced and referred to Commerce (5/28/09).

HB 5041 Independent Study (Smith) Revises funding eligibility and sunsets part-time independent student program and returns money to general fund. Introduced and referred to Appropriations (6/4/09).

HB 5048 Nursing Scholarship (Smith) Repeals the nursing scholarship program and returns funds to the general fund. Introduced and referred to Appropriations (6/4/09).

HB 5061 Promise Grant (Smith) Repeals the Michigan Promise Grant Program. Introduced and referred to Appropriations (6/9/09).

HB 5062 Tobacco Funds (Smith) Returns tobacco settlement revenues allocated to the Michigan merit scholarship program to the general fund. Introduced and referred to Appropriations (6/9/09).

HB 5063 Education Grants (Smith) Repeals the Michigan Education Opportunity Grants and returns the money to the general fund. Introduced and referred to Appropriations (6/9/09).

HB 5064 Tuition Waiver (Smith) Repeals the tuition waiver for police and firefighters. Introduced and referred to Appropriations (6/9/09).

HB 5065 Tuition Wavier (Smith) Repeals the tuition waiver for veterans and requires reversion of money to the general fund. Introduced and referred to Appropriations (6/9/09).

HJR Q State Budget (Rogers) Requires state budget to be appropriated off of the revenue estimating conference figures. Introduced (4/2/09).

## Child Welfare and Safety

### Bills Signed Into Law...

Public Act 15 (SB 227) Guardianship Assistance (Clark-Coleman) Modifies guardianship assistance act to be in compliance with federal IV-E standards. Signed April 9, 2009; Effective April 9, 2009.

Public Act 17 (HB 4159) Adoption Subsidy (Smith) Modifies adoption support subsidy to be in compliance with federal IV-E standards. Signed by the Governor (4/9/09). Effective (4/21/09).

### Bills In Action...

SB 257 Child Death (Jansen) Creates central repository pertaining to death of a child. Introduced and referred to Families and Human Services (2/18/09). Reported (3/11/09). Passed (3/19/09). Received by the House and referred to Families and Children's Services (3/19/09).

SB 258 Child Death (Hardiman) Requires notification to children's ombudsman regarding death of child who is a ward of the state. Introduced and referred to Families and Human Services (2/18/09). Reported (3/11/09). Passed (3/19/09). Received by the House and referred to Families and Children's Services (3/19/09).

SB 259 Child Advocacy (Richardville) Creates a state child advocacy council. Introduced and referred to Families and Human Services (2/18/09). Reported (3/11/09). Passed (3/19/09). Received by the House and referred to Families and Children's Services (3/19/09).

SB 260 Child Death (Kahn) Allows access to documents referencing the death of a child who was a ward of the state. Introduced and referred to Families and Human Services (2/18/09). Reported (3/11/09). Passed (3/19/09). Received by the House and referred to Families and Children's Services (3/19/09).

SB 261 Child Death (Cropsey) Requires sharing of case-specific information related to child deaths while in state care. Introduced and referred to Families and Human Services (2/18/09). Reported (3/11/09). Passed (3/19/09). Received by the House and referred to Families and Children's Services (3/19/09).

HB 4118 Foster Children (Polidori) Expands procedures for placement of children in a foster home to give special consideration to relatives. Introduced 1/22/09. Reported (3/25/09). Passed (3/26/09). Received by the Senate and referred to Families and Human Services (4/1/09).

HB 4125 Ombudsman Notice (Spade) Requires notification of children's ombudsman regarding death of a child who is a ward of the state under the Child Protection Law. Introduced and referred to Families and Children's Services (1/27/08). Reported (3/11/09). Passed (3/12/09). Received by the Senate and referred to Families and Human Services (3/17/09).

HB 4131 Adoption (Smith) Provides for second parent adoption. Introduced and referred to Judiciary (2/4/08). Reported (4/22/09).

HB 4169 Child Placement (Dean) Implements requirement for parental disclosure of relatives placing a child in a home other than that of a parent. Introduced and referred to Families and Children's Services (2/5/09). Reported with Substitute H-1 (5/6/09). Passed with Substitute H-1 adopted (5/7/09). Received by the Senate and referred to Families and Human Services (5/12/09).

HB 4222 Internet PPO (Ebli) Allows petition for personal protection orders for victims of postings of messages on Internet, furnishing obscene publications to minors or criminal sexual conduct. Reported with Substitute H-3 (6/10/09). Passed with Substitute H-3 and amendment adopted(6/16/09). Received by the Senate and referred to Judiciary (6/17/09).

HB 4409 Foster Children (Spade) Allows foster parents to authorize nonemergency medical procedures for foster children. Reported with Substitute H-1 (3/25/08). Passed (3/26/09). Received by the Senate and referred to Families and Human Services (4/1/09).

HB 4470 Adoption Leave (Neumann) Provides for adoption leave. Reported in Families and Human Services with Substitute H-1 (4/1/09). Passed (4/28/09). Received by the Senate and referred to Commerce and Tourism (4/29/09).

HB 4535 Parental Rights (Byrnes) Expands conditions involving termination of parental rights in cases of abuse or neglect. Introduced and referred to Judiciary (3/10/09). Reported (4/22/09). Passed (4/28/09). Received by the Senate and referred to Families and Human Services (4/29/09).

HB 4820 Parent Rights Termination (Brynes) Restricts conditions involving termination of parental rights. Introduced and referred to Judiciary (4/21/09). Reported (4/22/09). Passed (4/28/09). Received by the Senate and referred to Families and Human Services (4/29/09).

HB 4971 Central Registry (Dean) Amends provision for written request of documentation stating individual not named in central registry case. Introduced and referred to Families and Children's Services (5/19/09). Reported (6/24/09). Passed (8/26/09). Received by the Senate and referred to Families and Human Services (8/27/09).

Introduced Bills..

SB 437 Video Court Proceedings (Barcia) Requires use of interactive video technology for certain court proceedings. Introduced and referred to Judiciary (4/28/09).

SB 723 Child Injuries (Hunter) Requires child care providers to give notice to parents and guardians regarding incidents involving serious injury or death. Introduced and referred to Families and Human Services (8/5/09).

SB 727 Adoptee Information (Birkholz) Prohibits the release of identifying information from the central adoption registry about parents whose parental rights were terminated unless that parent has consented to the release. Introduced and referred to Families and Human Services (8/5/09).

SR 27 Guardianship (Clark Coleman) Urges Congress to certain actions with regard to the federal guardianship assistance program. Introduced and referred to Families and Human Services (3/25/09).

HB 4005 Parental Rights (Calley) Requires document notarizing rights of putative father before parental rights termination. Introduced 1/22/09.

HB 4006 Birth Record (Liss) Allows issuance of certified copy of original certificate of birth to certain adopted individuals. Introduced 1/22/09.

HB 4015 Adoption Records (Liss) Allows access to certain adoption records unless a denial is on record. Introduced 1/22/09.

## Education

### Bills Signed Into Law...

Public Act 40 (SB 96) Occupational Education (Birkholtz) Allows adoption of rules for certain occupational educational programs by the Department of Energy, Labor, and Economic Growth. Signed by the governor 6/18/09; Effective 6/18/09).

### Bills In Action...

SB 222 School Recreation Authority (Gleason) Revises recreational authorities act to include school districts. Introduced and referred to Local, Urban and State Affairs (2/12/09). Reported (3/4/09). Passed (3/19/09). Received by the House and referred to Education. Reported (4/23/09). Passed (5/26/09).

SB 698 Algebra II (Kuipers) Modifies Algebra II requirement in high school graduation requirements. Introduced and referred to Education. Reported (8/18/09). Passed (8/19/09). Received by the House and referred to Education (8/19/09).

SB 634 School Intervention (Cassis) Requires Department of Education to develop model intervention program. Introduced and referred to Education Committee (6/11/09). Passed (9/23/09). Received by the House and referred to Education (9/23/09).

SB 636 Neighborhood Schools (Kuipers) Creates neighborhood schools. Introduced and referred to Education (6/11/09). Reported (9/9/09).

SB 638 Teacher Tenure Exemption (Birkholtz) Provides exemption from Teacher Tenure Act for neighborhood public schools. Introduced and referred to Education Committee (6/11/09). Reported (9/9/09).

SB 639 Neighborhood Schools (Hardiman) Provides for neighborhood public schools in Employment Relations Act. Introduced and referred to Education Committee (6/11/09). Reported (9/9/09).

HB 4030 Compulsory Age (Geiss) Increases the compulsory age for school attendance to 18. Introduced 1/22/09. Passed (3/4/09). Received by the Senate and referred to Education (3/5/09).

HB 4047 First Class District (Scott, B.) Modifies number of pupils enrolled in school districts to determine status as a first class school district. Introduced and referred to Education 1/22/09. Reported (3/19/09). Passed (4/2/09). Received by the Senate and referred to Education (4/22/09).

HB 4132 Drop Out Age (Lemmons) Increases the compulsory attendance age to 18. Introduced and referred to Education 2/4/09. Passed (3/4/09). Received by the Senate and referred to Education (3/5/09).

HB 4511 Graduation Requirements (Geiss) Modifies mathematics graduation requirements and personal curriculum requirements. Introduced and referred to Education (3/4/09). Passed with substitute H-2 (8/26/09). Received by Senate and referred to Education (8/27/09).

HB 4219 School Services Contract (Miller) Removes from prohibited subjects of public school bargaining contracts with 3rd parties for noninstructional support services. Introduced and referred to Labor. Reported (5/20/09).

HB 4700 Recreational Authorities (Segal) Revises the recreational authorities act to include school districts. Introduced and referred to Education (3/25/09). Reported with Substitute H-2 (4/23/09). Passed with H-2 adopted (4/30/09). Received by the Senate and referred to Local, Urban and State Affairs (5/5/09).

HB 4787 FAILING SCHOOLS (Melton) Provides for certain measures to identify and restructure failing schools. Introduced and referred to Education (4/2/09). Reported with substitute H-3 (6/18/09). Passed with H-5 substitution (6/25/09). Received by the Senate and referred to Education (7/15/09). HB 4788 FAILING SCHOOLS (Johnson) Provides for changes in collective bargaining act to allow more flexibility in failing schools. Introduced and referred to Education (4/2/09). Passed with H-3 substitution (6/25/09). Received by the Senate and referred to Education (7/15/09). Reported with substitute H-3 (6/18/09). HB 4789 TURNAROUND SCHOOLS (Melton) Provides for funding for turnaround schools. Introduced and referred to Education (4/2/09). Reported (6/18/09). Passed with H-1 substitution (6/25/09). Received by the Senate and referred to Education (7/15/09).

HB 5163 Sex Ed (Smith) Provides for age appropriate, medically accurate and objective sexual education. Introduced and referred to Judiciary (6/25/09). Reported (9/9/09).

HB 5165 Contraceptive Ed (Donigan) Creates the contraceptive education act. Introduced and referred to Judiciary (6/25/09). Reported (9/9/09).

(7/15/09). Other Introduced Legislation...

SB 36 Internet Safety (Pappageorge) Requires instruction on internet safety in schools. Introduced and referred to Education (1/27/08).

SB 56 School Tests (Switalski) Replaces school MEAP test with nationally recognized commercially available assessment instruments. Introduced and referred to Education (1/27/08).

SB 117 K-3 Class Size (Clark-Coleman) Requires reduction of class sizes in grades K-3 over a five year period. Introduced and referred to Education (1/28/08).

SB 122 Full Day Kindergarten (Clark Coleman) Mandates enrollment of five year olds in full day kindergarten. Introduced and referred to Education (1/27/08).

SB 170 Drop Out Age (Brater) Requires persons to stay in school until age 18. Introduced and referred to Education (2/3/09).

SB 229 Sports Steroid Testing (Switalski) Requires steroid testing in high school athletic tournaments. Introduced and referred to Education (2/17/09).

SB 231 Steroid Education (Switalski) Requires schools to provide model steroid education program in health and physical education curriculum. Introduced and referred to Education (2/17/09).

SB 232 School Nutrition (Switalski) Requires public schools to adopt and implement and requires othe measures regarding school nutrition. Introduced and referred to Education (2/17/09).

SB 233 School Food Allergy Policy (Switalski) Requires school district regarding pupils with food allergies. Introduced and referred to Education (2/17/09).

SB 275 School Bullying (Jelinek) Requires schools to adopt a policy against harassment and bullying. Introduced and referred to Education (2/19/09).

SB 315 Labor Education (Gleason) Requires concepts regarding history of labor movement into history curriculum. Introduced and referred to Education (3/3/09).

SB 357 Playground Safety (Jacobs) Expands playground safety act to include flagpoles. Introduced and referred to Education (3/11/09).

SB 365 Phys Ed (George) & SB 366 (Allen) Revises physical education requirements in school and requires schools to comply with health and physical education requirements to receive full per pupil allowance. Introduced and referred to Health Policy (3/12/09). Reported and re-referral to Appropriations (5/19/09).

SB 391 Michigan Promise Grant (Cherry) Modifies eligibility criteria for Michigan Promise Grant. Introduced and referred to Education (3/18/09).

SB 451 Failing Schools (Clarke) Provides for reorganization of failing schools. Introduced and referred to Education (4/22/09).

SB 452 School Incentives (Clarke) Provides financial incentives for students based on performance in core elements at certain high schools. Introduced and referred to Education (4/22/09).

SB 453 Teacher Incentives (Clarke) Provides for incentive pay for teachers at failing schools. Introduced and referred to Education (4/22/09).

SB 457 Remote School Programs (Switalski, M) Requires written consent for school districts to operate a school or program outside of district boundaries. Introduced and referred to Education (4/22/09).

SB 564 Charter School Student Priority (Van Woerkom) Allows charter school enrollment priority for certain pupils under agreement between schools. Introduced and referred to Education (5/12/09).

SB 604 Student Safety Zone (Kahn) Expands definition of student safety zone under sex offender registration to include day centers and preschools. Introduced and referred to Judiciary (5/21/09).

SB 645 Student Publications (Switalski, M) Prohibits school officials from censoring student publications and provides for policies regarding those publications. Introduced and referred to Education (6/17/09).

SR 4 Catholic Schools (Kuipers) Recognizes January 25-31 as Catholic School Week. Adopted (1/28/09).

SR 49 Charter Schools (Van Woerkom) Recognizes May 3-9 as Charter Schools week. Adopted (5/6/09).

SR 33 Financial Literacy (Richardville) Declares April as Financial Literacy for Youth Month in Michigan. Adopted (4/1/09).

HB 4058 Education Costs (Lemmons) Requires state to assume deficits incurred while reform board is in place for qualifying school districts. Introduced and referred to Appropriations (1/22/09).

HB 4063 Charter Schools (Lemmons) Allows community college to act as authorized body for charter schools in a first class school district. Introduced and referred to Education 1/22/09.

HB 4190 Merit Award (Agema) Adds a citizenship requirement for the legislative merit award scholarships. Introduced and referred to Judiciary (2/5/09).

HB 4534 H.S. Graduation Requirements (Calley) Repeals the state graduation requirements for a high school diploma. Introduced and referred to Education (3/10/09).

HB 4580 Bullying (Byrnes) Requires policy prohibiting harassment and bullying at school. Introduced and referred to Education (3/12/09).

HB 4631 Athletics (Johnson) Prohibits membership in athletic conference or association that has restrictions on distance a high school athletic team can travel to compete. Introduced and referred to Education (3/19/09).

HB 4667 School Counselors (Donigan) Creates a pilot program for increased school counselors. Introduced and referred to Education (3/19/09).

HB 4712 Class Size (Jackson) Requires smaller class sizes in underperforming schools. Introduced and referred to Education (3/26/09).

HB 4741 Privatization (Jones, Rick) Requires a cost-benefit analysis before privatizing certain education services. Introduced and referred to Labor (4/1/09).

HB 4762 High School Sports (Genetski) Allows students participating in high school sanctioned sports to receive physical education credit. Introduced and referred to Education (4/2/09).

HB 4771 MEAP Test (Haase) Replaces the MEAP test with a nationally recognized, commercially available assessment instrument. Introduced and referred to Education (4/2/09).

HB 4792 BULLYING (Scott, P.) Encourages board to work with law enforcement and parents in implementing policy prohibiting bullying or harassment at school. Introduced and referred to Education (4/2/09).

HB 4806 Entrepreneur Training (Switalski, J.) Provides education assistance for entrepreneurship courses and training.

Introduced and referred to Education (4/21/09). Re-referred to Commerce (6/18/09).

HB 4832 Detroit School Audit (Young) Provides for forensic audit of Detroit Public Schools. Introduced and referred to Education (4/23/09).

HB 4889 Detroit Schools (Young) Provides for an internal audit department and reserve fund for self-insured losses for first class school districts. Introduced and referred to Education (5/5/09).

HB 4923 Physical Ed (Bauer) Revises physical education requirements. Introduced and referred to Education (5/12/09).

HB 4924 Health Ed (Proos) Revises health education requirements. Introduced and referred to Education (5/12/09).

HB 5021 Dating Violence (Warren) Requires dating violence training, policy, and education in middle schools and high schools. Introduced and referred to Education (5/28/09).

HB 5084 Detroit Schools Control (Lemmons) Provides for a ballot proposal to turn control of the First Class school district over to the city to be operated as a city department. Introduced and referred to Education (6/11/09).

HB 5085 Detroit Schools Control (Lemmons) Provides for school district to be operated as department of city if ballot proposal is approved for certain cities. Introduced and referred to Education (6/11/09).

HB 5093 Bullying (Warren) Requires policy prohibiting harassment and bullying at school. Introduced and referred to Education (6/16/09).

HB 5142 Graduation Requirements (Pearce) Modifies curriculum requirements for high school graduation. Introduced and referred to Education (6/24/09).

HB 5237 CONVERSION SCHOOLS (Pavlov) Provides school aid funding for public school academies conversion schools. Introduced and referred to Education (8/11/09)

HB 5238 CONVERSION SCHOOLS (Pavlov) Provides for public school academies conversion schools. Introduced and referred to Education (8/11/09).

HB 5268 JAILED YOUTH (Genetski) Allows schools to exclude information about incarcerated pupils from accreditation data and annual education reports. Introduced and referred to Education (8/19/09).

HR 8 Catholic Schools (Angerer) Recognizes January 25-31, 2009 as Catholic Schools Week. Adopted 2/4/08.

HR 20 School Boards (Slavens) Recognizes January 2009 as School Board Recognition Month in the state of Michigan. Adopted 2/11/09).

HR 64 Financial Literacy (Coulouris) Recognizes April 2009 as Financial Literacy for Youth Month in the state. Adopted (4/1/09).

HR 68 Junior Achievement (Bolger) Encourages Michigan's public schools to participate in Junior Achievement programs and declares April to be Junior Achievement Financial Literacy month in the state. Adopted (4/1/09).

HR 130 Healthy Schools (Womack) Memorializes Congress to enact the Healthy Schools Act of 2009. Introduced and referred to Education (8/11/09)

HR 145 Learning (Sheltrown) Encourages the Department of Education to recognize the psychological differences between how boys and girls learn and to communicate this finding to the state's K-12 education community. Introduced and referred to Education (8/26/09)

## Parenting and Fatherhood 2008

### Bills Signed Into Law...

Public Act 9 (HB 4482) Welfare to Work Compliance (Clack) Clarifies sanction for certain non-compliance. Signed May 18, 2008; Effective May 18, 2008.

Public Act 107 (SB 120) Food Stamp Distribution (Scott) Requires distribution of food assistance benefits twice a month. Signed April 24, 2008; Effective April 24, 2008.

Public Act 449 (HB 6549) Individual Development Accounts (Coulouris) Allows State Housing Development Authority to administer individual or family development account program. Signed January 9, 2009; Effective January 9, 2009.

Public Act 450 (SB 1636) Low Income Emergency Assistance (Jansen) Provides clarification and cleanup of individual development account program. Signed January 9, 2009; Effective January 9, 2009.

### Bills in Action...

SB 476 Custody Decisions (Jansen) Allows court to gather additional evidence in reviewing arbitrator's decision on child custody. Introduced and referred to Child and Family Services (5/3/07). Reported (5/29/07). Passed (6/13/07). Received by the House and referred to Families and Children's Services (6/13/07).

SB 477 Custody Decisions (Jansen) Requires courts to resolve custody disputes that have been arbitrated in accordance with domestic relations arbitration provisions of the RJA. Introduced and referred to Families and Human Services (5/3/07). Reported (5/29/07). Passed (6/13/07). Received by the House and referred to Families and Children's Services (6/13/07).

SB 1059 PARENTAL RIGHTS (Cropsey) Clarifies process for judicial waiver of parental consent requirements. Introduced and referred to Judiciary Committee (1/24/08). Reported (3/4/08). Passed with amendments adopted (3/11/08). Received by the House and referred to Judiciary (3/11/08). Notice of intent to discharge from Judiciary Committee (4/22/08).

SB 1300 Welfare Fees (Jacobs) Revises eligibility requirements for representative of person seeking to obtain certain welfare benefits. Introduced and referred to Families and Children's Services (5/7/08). Reported Favorably and referred to Committee of the Whole (6/12/08). Re-referred to Families and Human Services (6/28/08). Re-referred to Government Operations and Reform (10/2/08).

HB 4564 Joint Custody Mandate (Steil) Mandates joint custody in disputes between parents except for limited circumstances. Introduced and referred to Family and Children Services (04/05/07). Reported and referred to Judiciary (10/10/07). Notice of intent to discharge from Judiciary (12/18/08).

HB 4896 Birth Certificate (Wojno) Allows issuance of a certified copy of an original certificate of live birth to certain adopted individuals. Introduced and referred to Families and Children's Services. Reported (3/5/08).

HB 4923 FOOD ASSISTANCE (Meisner) Requires food assistance benefits to be distributed twice a month. Introduced and referred to the Families and Children's Services Committee. Reported with Substitute H-1 (2/20/08). Substitute H-1 adopted (2/28/08).

HB 5261 Adoption Leave (Gillard) Provides for adoption leave. Introduced and referred to Families and Children's Services (9/24/07). Received by the Senate and referred to Commerce And Tourism committee (1/9/08).

HJR NN CHILD UPBRINGING (Stahl) Declares the rights of parents and legal guardians to direct upbringing of children as a fundamental constitutional right. Introduced and referred to Judiciary (1/23/08). Notice of intent to discharge from Judiciary (8/20/08). Motion to discharge passed (9/9/08).

Introduced Legislation...

SB 34 Support (Switalski) Eliminates need for presentence report for nonpayment of support. Introduced and referred to Judiciary (1/24/07).

SB 103 Domestic Abuse (Garcia) Allows early termination of lease for victims of domestic abuse. Introduced and referred to Judiciary Committee (1/30/07).

SB 275 Nursing Mothers (Whitmer) Exempts nursing mothers from jury duty. Introduced and referred to Judiciary Committee (02/27/07).

SB 295 Welfare Sunset (Hardiman) Sets sunset date for extension of human services financial benefits. Introduced and referred to Families and Human Services Committee (02/28/07).

SB 506 Out of Wedlock Paternity (McManus) Establishes circumstances under which a putative father may sue to establish paternity of a child born to a married woman. Introduced and referred to Families and Human Services (5/16/07).

SB 522 Friend of the Court Pamphlet (Whitmer) Allows friend of the court pamphlets to be provided electronically. Introduced and referred to Families and Human Services (5/22/07).

SB 553 Child Support (Pappageorge, Hardiman) Requires office of child support to establish system for payment of child support over the internet. Introduced and referred to Families and Human Services (5/25/07).

SB 642 UNEMPLOYMENT BENEFITS (Basham, Clark-Coleman) Provides for deduction of unemployment benefits from income tax. Introduced and referred to Finance (7/19/07).

SB 645 Child Support Complaint (Cherry) Allows use of substitute service for complaint under family support act. Introduced and referred to Judiciary (7/24/07).

SB 792 Child Care Deduction (Kahn) Increase child care deduction Introduced and referred to Finance Committee(9/19/07).

SB 1411 Child Custody Recommendations (Van Woerkom) Modifies requirement for when investigation and recommendations are made on child custody and parenting time. Introduced and referred to Families and Human Services (6/24/08).

SB 1424 Parenting Time (Jansen) Modifies enforcement by Friend of the Court of parenting time duties. Introduced and referred to Families and Human Services (6/26/08). Reported with Substitute H-2 (12/3/08).

SB 1425 Domestic Relations Mediation (Jansen) Revises reference in Child Custody Act to domestic relations mediation to reflect changes in Friend of the Court Act . Introduced and referred to Families and Human Services (6/26/08).

SB 1426 Child Support Penalty (Garcia) Revises procedures for suspension and reinstatement of driver license due to child support arrearages. Introduced and referred to Families and Human Services (6/26/08). Reported (12/3/08).

SB 1427 Domestic Relations Fees (Jansen) Provides for consolidated fees from divorce, paternity and family support acts. Introduced and referred to Families and Human Services (6/26/08).

SB 1428 Child Support Fund (Jansen) Eliminates child support bench warrant enforcement fund and provides for contracting of services through state county administrative office for child support. Introduced and referred to Families and Human Services (6/26/08). Reported (12/3/08).

SB 1429 Child Support Collection (Scott) Revises collection and distribution of child support provision in divorce law. Introduced and referred to Families and Human Services (6/26/08). Reported (12/3/08).

SB 1430 Paternity (Jacobs) Revises collection and distribution of child support provisions and allows Friend of the Court to prosecute certain paternity actions. Introduced and referred to Families and Human Services (6/26/08). Reported with substitute H-1(12/3/08).

SB 1431 Child Support (Hardiman) Revises collection and distribution of child support provision in family support act and allows friend of the court to prosecute family support actions. Introduced and referred to Families and Human Services (6/26/08). Reported (12/3/08).

SB 1501 Child Support (Kahn) Requires payment of child support from lawsuit settlement or judgement. Introduced and referred to Families and Human Services (9/16/08).

SB 1502 Child Support (Gilbert) Requires payment of child support arrearages from casino winnings. Introduced and referred to Families and Human Services (9/16/08).

SR 36 & SCR 8 Weatherization (Patterson) Urges President and Congress to fund home weatherization program. Introduced and referred to Energy Policy and Public Utilities (3/28/07).

HB 4136 EBT Bridge Cards (Johnson) Allows food assistance recipients' use of EBT bridge cards at certain approved restaurants. Introduced and referred to Families and Human Services Committee (1/25/07).

HB 4140 Child Custody (Jones, R) Prohibits child custody to be awarded to the parent convicted of criminal sexual conduct against his or her child. Introduced and referred to Families and Human Services Committee (1/25/07).

HB 4147 Child Support (Lemmons) Provides for termination of child support obligations when DNA evidence demonstrates payer is not the biological parent. Introduced and referred to Families and Children's Services Committee (01/30/07).

HB 4174 Electronic Visitation (Pearce) Allows court to order electronic visitation to parents and grandparents. Introduced and referred to Families and Children Services Committee (01/30/07).

HB 4180 Powers of Attorney (Wenke) Enacts the Uniform Power of Attorney Act. Introduced and referred to Judiciary Committee (01/30/07).

HB 4566 Child Support Repayment (Stakoe) Amends Support and Parenting Time Enforcement Act to allow repayment of child support under certain circumstances. Introduced and referred to Families and Children's Services (04/05/07).

HB 4607 Children Services (Clack) Provides for allocation of general and federal funds to services for parents or certain children aged 0 to 3. Introduced and referred to Families and Children's Services (04/18/07). Advanced to Third Reading in the House (10/9/07).

HB 4818 Child's Best Interest (Steil) Includes equal time for both parents as a factor in determining the best interest of the child. Introduced and referred to Families and Children's Services (05/23/07).

HB 4923 Food Assistance (Meisner) Requires food assistance benefits to be distributed twice a month. Introduced and referred (6/14/07).

HB 5050 Child Support Payers (Stakoe) Requires self-employed child support payers to disclose their bank accounts and allows friend of the court to obtain information regarding it. Introduced and referred to Families and Children's Services (7/24/07).

HB 5464 FATHER RIGHTS (Calley) Requires document notarization before termination of putative father rights. Introduced in the Families and Children's Services committee (11/26/07).

HB 5513 GENDER-NEUTRAL NAME CHANGE (Byrnes) Makes provisions on change of name procedure whenever decree of divorce is granted gender-neutral. INTRODUCED and referred to Judiciary (12/4/2007).

HB 5650 PARENTAL CONSENT (Robertson) Clarifies process for judicial waiver of parental consent requirement. Introduced and referred to Judiciary (1/22/08). Notice of intent to discharge from Judiciary Committee (4/22/08).

HB 5800 Parent Liability (Calley) Excludes parent's financial responsibility for children's acts if a parent is not reasonably able to control child. Introduced and referred to Judiciary (2/26/08).

HB 5930 Welfare Vouchers (Sheen) Bans contracts by DHS for appointed attorneys, psychologists, psychiatrists or counseling services and requires voucher system. Introduced and referred to Families and Children's Services (3/20/08).

HB 5933 State Data (LeBlanc) Allows use of public assistance data cross-referenced with certain state employment tax data. Introduced and referred to Families and Children's Services (4/08/08).

HB 5980 Cash Assistance (Horn) Allows recipients to repay money received for certain assistance benefits and provides for other assistance and truancy ammendments. Introduced and referred to Family and Children's Services (4/10/08).

HB 6550 Individual Development Accounts (Huizenga) Provides for technical ammendments to individual or family development account program. Introduced and referred to Banking and Financial Services (10/15/08).

HB 6580 Welfare Drug Testing (Elsenheimer) Requires drug testing for welfare recipients. Introduced and referred to Families and Children's Services (10/29/08).

HR 154 EMERGENCY FOOD ASSISTANCE (Mayes) Urges Congress to investigate and adjust the formula for allocating funding to the states for the Emergency Food Assistance Program. Introduced and referred to Agriculture (07/18/07).

HR 208 Food Assistance (Johnson) Urges Congress to expand food assistance program to allow all recipients of electronic benefits transfer card to use it in approved restaurants. INtroduced and referred to Families and Children's Services (10/16/07).

HR 400 Parents (Hammel) Memorializes Congress to enact Keeping Parents and Communities Engaged Act. Introduced and referred to Education (6/25/08).

HR 290 Parenting (Brown) Commemorates March 2008 as Parenting Awareness month in Michigan. Adopted (2/28/08).

## Youth and Adolescence

### Bills Signed Into Law...

### Bills In Action ...

SB 25 Young Workers (Stamas) Revises maximum number of hours a minor can work. Introduced and referred to Economic Development and Regulatory Reform (1/27/08). Reported (5/7/09). Passed (5/12/09). Received by the House and referred to Labor (5/12/09).

SB 199 Scouts (Kahn) Allows for specialty plate for the scouts. Introduced and referred to Transportation (2/5/09). Reported (5/12/09). Passed (5/20/09).

SCR 10 Youth Motorcycles (Brown) Urges congress to enact a waiver on youth motorcycles, all-terrain vehicles and snowmobilies from lead requirements. Adopted (3/31/09). Introduced and referred to Great Lakes and Environment (3/31/09).

HB 4261 Voting Age (Liss) & HB 4337 (Jones, Robert) Provides for preregistration to vote at age 16. Introduced and referred to Ethics and Elections. Reported with Substitute H-2 (5/13/09). Passed with substitute H-2 adopted (5/14/09). Received by the Senate and referred to Campaign and Election Oversight (5/19/09).

HB 4828 Brass Knuckle Ban (Polidori) Bans sale of brass knuckles to minors. Passed with substitute H-2 adopted (6/17/09). Received by the house and referred to Judiciary (6/18/09).

### Other Introduced Legislation...

SB 408 Underage Drinking (Brater) Exempts minors seeking treatment for alcohol problems from underage drinking violations. Introduced and referred to Judiciary (3/25/09).

SB 461 Tobacco (Basham) Increases penalties for selling tobacco to a minor. Introduced and referred to Judiciary (4/23/09).

SB 664 Minor Drinking (Switalski, M.) Prohibits requiring minors to submit to chemical tests to determine if they had consumed alcohol unless court order is obtained. Introduced and referred to Health Policy (6/25/09).

SB 713 Gang Recruitment (Kahn) Enacts sentencing guidelines for gang recruitment and retaliation violations. Introduced and referred to Judiciary (8/5/09).

SJR B Voting Age (Switalski) Allows 16 year olds to vote in school district elections. Introduced and referred to Campaign and Election Oversight (1/27/09).

SR 31 Youth Motorcycles (Brown) Urges congress to enact a waiver on youth motorcycles, all-terrain vehicles and snowmobilies from lead requirements. Adopted (4/1/09).

HB 4139 Juvenile Crimes (Jackson) Provides for fines against juveniles who commit certain crimes and counseling for those juveniles and their parents. Introduced and referred to Judiciary (2/4/08).

HB 4478 Scout Plates (Mayes) Creates license plate for scouts. Introduced and referred to Transportation (2/26/09).

HB 4493 Young Drivers (LeBlanc) Prohibits first year drivers from having more than one passenger under 18 years of age other than family members in car. Introduced and referred to Transportation (3/3/09).

HB 4596 Juvenile Parole (Jones, R.) Allows parole of certain juvenile offenders as sentenced to imprisonment for life. Introduced and referred to Judiciary. (3/17/09).

HB 4644 Driver License (Johnson) Clarifies certain school attendance requirements to maintain driver license. Introduced and referred to Transportation (3/19/09). Re-referred to Education (5/7/09).

HB 4645 Truancy (Johnson) Provides for the family division of the circuit court to notify secretary fo state of truancy disposition. Introduced and referred to Transportation (3/19/09). Re-referred to Education (5/7/09).

HB 4876 Drinking Minors (Haines) Allows minors under the influence presenting themselves for treatment to be exempt from an underage drinking violation under certain circumstances. Introduced and referred to Judiciary (5/5/09).

HB 4931 Gangs (Haveman) Enacts sentencing guidelines for gang recruitment and retaliation violations. Introduced and referred to Judiciary (5/12/09).

HB 4970 Sports Liability (Walsh) Allows parents to sign waiver of claims of liability against a sponsor or organizer of children's athletic and recreational activities. Introduced and referred to Judiciary (5/19/09).

HB 5066 Consent Age (Lemmons) Increases age of consent for certain criminal sexual conduct violations to 18. Introduced and referred to Judiciary (6/9/09).

HB 5174 Juvenile Competency (Segal) Clarifies juvenile competency and culpability. Introduced and referred to Judiciary (7/14/09).

HB 5175 Juvenile Competency (Schuitmaker) Clarifies juvenile competency and culpability. Introduced and referred to Judiciary (7/14/09).

HB 5198 Underage Drinking (Haugh) Revises penalties for furnishing alcoholic beverages to a minor. Introduced and referred to Transportation (7/14/09).

HB 5199 Underage Drinking (Haugh) Provides for liquor license suspension for person selling alcohol to a minor. Introduced and referred to transportation (7/14/09).

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