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Children's Representation Spotlight.

Anyone who has represented young people in child welfare proceedings knows that the work, while rewarding, can also be challenging and at times isolating. A sense of community is essential to our individual and collective wellbeing as attorneys for children. With so much knowledge to share and successes to celebrate, we are taking the suggestion of long-time CRP contractor Karen Lindholdt and instituting a new feature in the CRP Newsletter, the Children's Representation Spotlight. Here, we hold space for each other to share our stories, experiences, triumphs, and struggles, assured that we are truly all in this together. We welcome Karen Lindholdt as the author of our first feature.

By: [KAREN LINDHOLDT](#)

The foster care-to-prison pipeline became evident to me early in my career as a felony public defender in Spokane County. A seventeen-year-old and his teenage friends had come into Spokane for the evening. Several hours, and many drinks later, a man was stabbed a man to death and these teenage friends were arrested and charged with, amongst other crimes, Murder in the 2nd Degree.

The outcome for the friends would be as different as their childhoods. The assailant, with family support, would take a plea deal for ten years. While the co-defendant, who had been raised in the foster care system, would receive a 25-year sentence.

During discovery, it was revealed that the co-defendant was a former foster youth and was living on a nearby reservation, even though if he wasn't a member of that tribe. When asked about this, he responded: "My sister

and I followed my mom there. She was an alcoholic and followed some man there. We finally tracked her down and moved there to be with her." It was clear that he had spent much of his young life following his mother, desperately seeking love and attention from her. But instead of finding that love and support, he found himself isolated, without support, and in the Spokane County Jail facing years behind bars.

In the end, this young man would naively and unwisely choose to go to trial and was convicted and sentenced to 25 years, while the assailant, who stabbed the man, received a plea deal for 10 years in prison.

In that moment, I witnessed the full impact of adverse childhood experiences upon a youth. I saw, as studies suggest, that this young man's adverse childhood experiences influenced how he ended up in the criminal system. But I also saw how his lack of support left him vulnerable to an unjust and inequitable system. As a result, when presented with an opportunity to represent foster youth in Grant County pursuant to a new pilot project with OCLA twenty-five years into my career, I jumped. Moreover, as a small-town girl from an agricultural community in southern Idaho, I feel at home working in rural communities with large populations of migrant workers, many of them non-citizens.

When we first started advocating for our youth clients in Grant County, we were unwelcomed by many. We were told that we were "wasting taxpayer dollars" because the County was already paying for Guardian ad Litem (GAL). We witnessed regular deference to the GALs and disregard for children's lawyers. It took many months of our standing strong and asserting our clients' stated or legal interests. We were finally able to turn the tide in Grant County though, and now our roles and perspectives are eagerly sought out by the other parties in the case, including the Commissioner and Judges.

Today, six years after the pilot project began, I continue to represent youth in dependencies in Grant and Yakima Counties. Although I still live in Spokane, I choose to commute to these communities in central Washington. My caseload consists of approximately seventy-five percent Latinx youth, many whose parents and placements with relatives speak little English. I speak some Spanish and am always grateful for the opportunity

to communicate directly with the family members without an interpreter.

One big challenge of representing youth in rural areas is the limited services and culturally appropriate foster homes for clients. My clients are often placed many miles outside of Moses Lake, which is the hub of Grant County. Visits to my children's placements, which is what I enjoy most about my job, often require a several-hour commitment of my time, especially if there is snow on the ground. Despite how tired or overwhelmed I feel when I set out to visit my clients, I always leave them feeling that I have the best job in the world. Our youth clients have been through so much trauma and change by the time we come into their lives. All the trauma notwithstanding, these children are often joyful and expressing enthusiasm for reunification with their parents. I also stand amazed and grateful for the foster families who open their homes and hearts to my clients.

It is my aspiration to give my clients support, encouragement, and hope for their futures and reunifications of their families. Along the way, just maybe my advocacy, guidance and support will prevent a child from becoming another statistic in the foster care-to-prison pipeline.

[HUD Awards \\$12.9 Million to Prevent Homelessness Among Youth Transitioning Out of Foster Care.](#)

The U.S. Department of Housing and Urban Development has awarded \$12.9 million to 16 Public Housing Agencies in 9 states to provide housing assistance to young adults who are transitioning out of foster care and are experiencing or at risk of experiencing homelessness. Seattle Housing Authority and the Housing Authority of King County were awarded a collective 128 vouchers amounting to an approximate \$2.388 million investment in our Washington State foster care youth. Read more [here](#).

[An Opportunity to Provide Feedback to the U.S. Children's Bureau on Child Welfare Practice.](#)

The U.S. Children's Bureau has released a survey for judges, attorneys, court clerks working in child welfare. It should take about 15 minutes to complete and is designed to help the federal government better understand child welfare court practice across the country. To complete the survey, click [here](#).

LEGISLATIVE AND CASE LAW UPDATES

[Case Law Updates](#)

[In re Dependency of A.C., slip op. No. 10966-6 \(Washington State Supreme Court, 2022\)](#)

On an appeal of an order of dependency, the Supreme Court held that the trial court erred in relying on inadmissible hearsay, introduced as background for an expert's opinion. The Supreme Court rejected the State's contention that the error was harmless and applied the materially affected standard, as advocated by the parents, rejecting the State's argument to apply the substantial evidence standard. The Supreme Court stated:

"The taint of the improperly relied on hearsay—the court's acceptance of that hearsay as truth—affected the court's view of all the admissible evidence, which includes the parents' admission to and dispute of the events described by the hearsay. In short, the trial court relied heavily on the hearsay for its findings and evaluations. The weight of that reliance, within reasonable probabilities, materially affected the outcome of the hearing."

A link to the opinion can be found [here](#).

TRAINING OPPORTUNITIES

[CCYJ: The Importance of Intersectionality in LGBTQ Youth Mental Health.](#)

The Center for Children & Youth Justice is holding a series of eQuality Learning Sessions, the first is titled The Importance of Intersectionality in LGBTQ Youth Mental Health and will be held on March 28, 2023, 9:30-11:00 am PST. The main speaker is Myeshia Price, director of Research Science, the Trevor Project. The training will address many of the poor mental health outcomes for LGBTQ youth and explore some of the findings from The Trevor Project's 2022 National Survey on LGBTQ Youth Mental Health. There are no CLE's associated with this program and there is a \$10.00 non-subsidized, cost to attend.