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CHILDREN'S
LAW CENTER
OF MINNESOTA

Report on FY 2009 Client Outcomes

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Introduction

Since its founding in 1995, the Children's Law Center of Minnesota (CLC) has been dedicated to promoting the rights, and improving the lives of children in the foster care system. With the help of over 300 volunteer attorneys, CLC has represented over 1,300 legal wards of the state and children in need of protection. Through its representation, CLC has not only touched the lives of many, but has also impacted the judicial, child welfare, health care, and education systems in the state of Minnesota. It was also an instrumental force behind the passage of Senate File 2690, approved in April of 2010, which extends court jurisdiction and foster care eligibility in Minnesota to children until age twenty-one.

The following client outcome analysis is based on a random sample of forty-one (25%) of the cases closed by CLC in 2009. A great deal of information contained in this report was generated by and is located on the National Children's Law Network (NCLN) database.¹ The NCLN database houses data from eight organizations focused on children's law and foster care advocacy issues.²

¹ The NCLN data referenced in this report was generated on July 6, 2010. Client information added to the NCLN database by other organizations after that date is not accounted for in this report.

² NCLN affiliates include: Children's Law Center of Minnesota, located in St. Paul, MN; Children and Family Justice Center of Northwestern School of Law, located in Chicago, IL; Children's Law Center of Massachusetts, located in Lynn, MA; JustChildren Program, located in Charlottesville and Richmond, VA; Oklahoma Lawyers for Children, located in Oklahoma City, OK; Public Counsel, located in Los Angeles, CA; Rocky Mountain Children's Law Center, located in Denver, CO; and Support Center for Child Advocates, located in Philadelphia, PA.

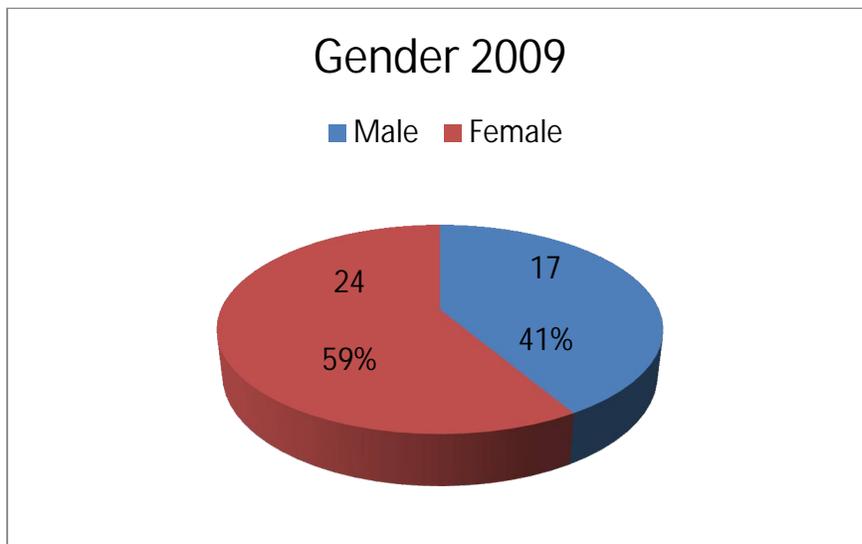
Data and Analysis

Client Demographics and Representation

Gender

The 2009 sample population demonstrates that compared to the national average, CLC represents a greater percentage of female clients. This over representation has remained relatively consistent over the past few years.

Gender	CLC 2009	National Avg. 2009 ³	CLC 2008 ⁴	CLC 2007 ⁵
Male	17 of 41 (41.5%)	206 of 411 (50%)	15 of 35 (43%)	31 of 72 (43%)
Female	24 of 41 (58.5%)	205 of 411 (50%)	20 of 35 (57%)	41 of 72 (57%)



³ See NCLN Client Demographics for all cites (closed in year 2009) for comparison demographic data.

⁴ See NCLN Client Demographics for Minnesota (closed in year 2008).

⁵ See NCLN Client Demographics for Minnesota (closed in year 2007).

Ethnicity

As compared to the national population, the sample revealed that African American, Native American, Asian, and Multi Racial clients were over-represented by CLC in 2009. The percentage of African American clients continued to increase and was greater than both the respective national population and average national foster care percentages. Moreover, although the percentage of Native American clients declined from 2008 to 2009, CLC's representation continued to be greater than the national foster care average and national population percentage. The percentage of Hispanic and Caucasian clients however, remained below the national foster care average and representative national population.

Ethnicity	CLC 2009	National Foster Care Avg. 2009 ⁶	Percent of National Population ⁷	CLC 2008 ⁸	CLC 2007 ⁹
African American	29 of 41 (71%)	226 of 411 (54%)	12.1%	20 of 35 (57%)	31 (41%)
Native American	1 of 41 (2%)	3 of 411 (1%)	.7%	3 of 35 (9%)	6 (8%)
Asian	2 of 41 (5%)	5 of 411 (1%)	4.3%	2 of 35 (6%)	4 (5%)
Caucasian	6 of 41 (15%)	63 of 411 (15%)	65.9%	5 of 35 (14%)	17 (23%)
Hispanic	1 of 41 (2%)	94 of 411 (23%)	15%	2 of 35 (6%)	4 (5%)
Multi Racial	2 of 41 (5%)	9 of 411 (2%)	1.6%	3 of 35 (9%)	11 (15%)
Other	0 of 41 (0%)	12 of 411 (3%)	0%	0 of 35 (0%)	0 (0%)
Unreported	0 of 41 (0%)	5 of 411 (1%)	0%	0 of 35 (0%)	2 (3%)

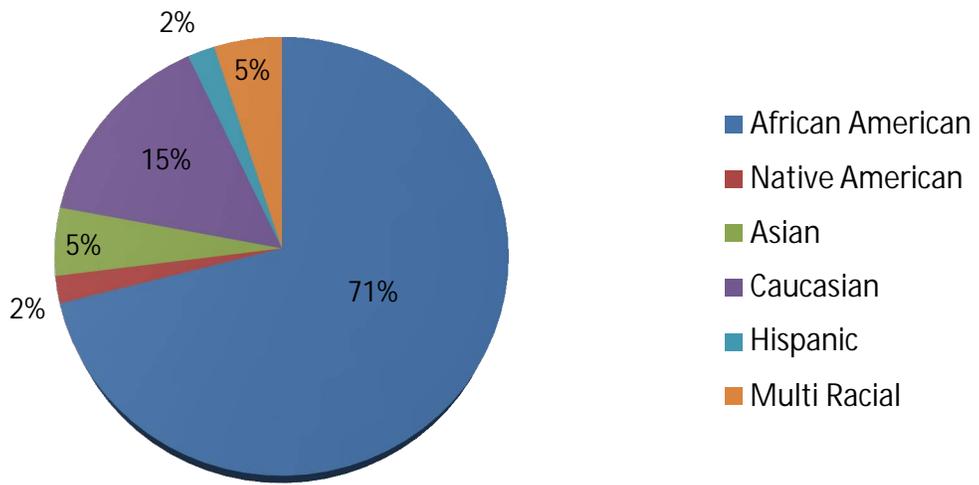
⁶ See NCLN Client Demographics Report for all cites (closed in year 2009).

⁷ See United States Census Bureau: 2006-2008 American Community Survey 3-Year Estimates at http://factfinder.census.gov/servlet/DTable?_bm=y&-geo_id=01000US&-ds_name=ACS_2008_3YR_G00_&-lang=en&-redoLog=false&-mt_name=ACS_2008_3YR_G2000_C03002&-format=&-CONTEXT=dt (path: <http://www.census.gov/acs/www/index.html> Access Data Get Data: American Fact Finder 2006-2008 American Community Survey 3-Year Estimates: Custom Table Geographic Type: United States Table: Hispanic or Latino by Race Show Result).

⁸ See NCLN Client Demographics for Minnesota (closed in year 2008).

⁹ See NCLN Client Demographics Report for Minnesota (closed in year 2007). According to the NCLN database, the sample of cases closed in 2007 consisted of 72 clients. However, the client demographics report for cases closed in 2007 includes ethnicities for 75 clients. Please note that although the numbers and percentages in the chart above reflect the data in the report, it is not entirely accurate as the 2007 sample population was not 75.

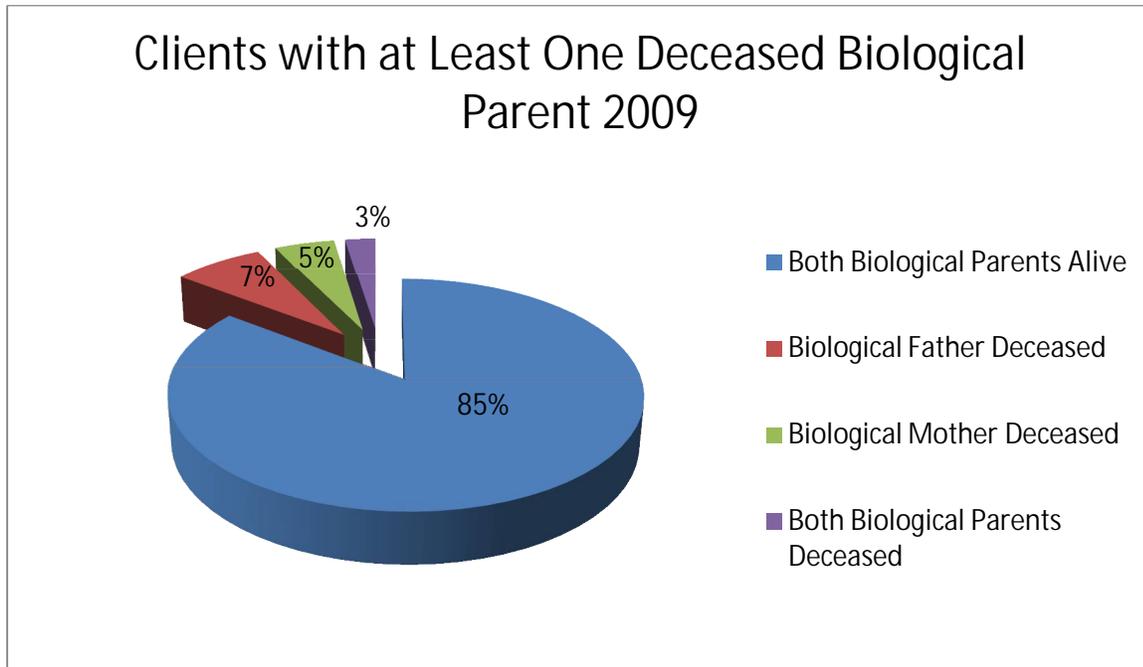
Ethnicity 2009



Clients with at Least One Deceased Biological Parent

In an effort to identify familial characteristics shared by children in the foster care system, CLC identified the number of clients with at least one deceased biological parent. At least one biological parent of six clients in the sample was deceased by case close. Recognizing these losses is an essential component of facilitating long-term, stable connections for these clients.

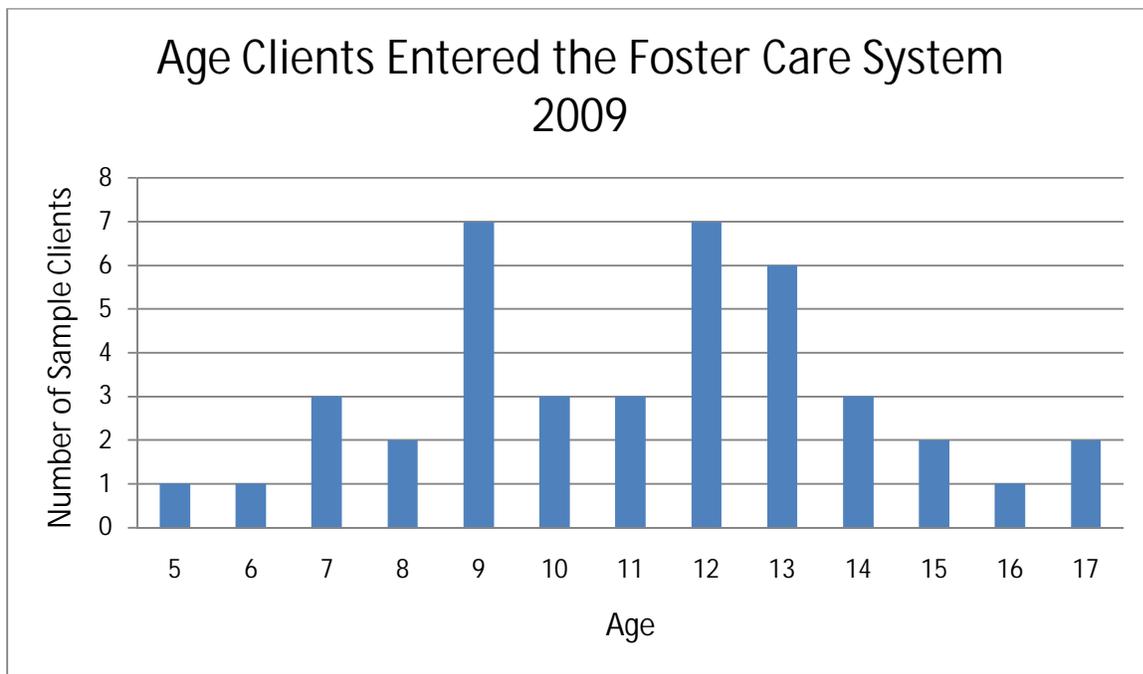
Biological Parent Deceased	CLC 2009
Father	3 (7%)
Mother	2 (5%)
Both	1 (3%)
Total	6 (15%)



Age Clients Entered the Foster Care System

Historically, the clients to whom CLC has been appointed have entered the foster care system at a later age than children across the country. This is due, in part, to Minnesota statute § 260C.163(3), which only requires the court, in juvenile proceedings, to appoint legal counsel for children aged ten or older when they desire it and cannot employ it themselves.¹⁰ As a result, the majority of CLC clients either enter the system after the age of ten, or remain in foster care long enough to reach the age of ten.

	CLC 2009	National Avg. 2008 ¹¹	CLC 2008 ¹²
Mean Age (in years)	11.2	8	12.2



¹⁰ See Minnesota Statute § 260C.163(3) at <https://www.revisor.mn.gov/statutes/?id=260C.163&year=2009>.

¹¹ See Administration for Children and Families website at

http://www.acf.hhs.gov/programs/cb/stats_research/afcars/tar/report16.htm (path:

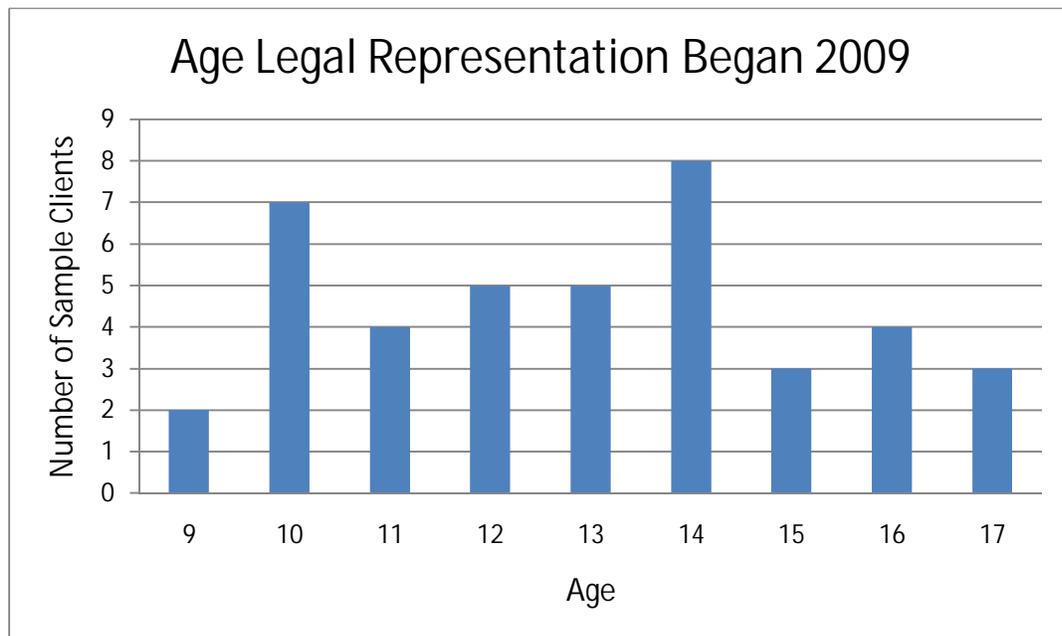
<http://www.acf.hhs.gov/index.html> Policy/Planning: Statistics/Data Adoption and Foster Care Statistics AFCARS Report # 16 (Preliminary Estimates for FY 2008) Ages of the Children who Entered Care During FY 2008).

¹² See Internal FY08 Client Outcomes Report written by Ben Nichols, University of Minnesota Law School, J.D. Candidate 2011.

Age Legal Representation Began

The average CLC client is a great deal older at intake than the average national client. Pursuant to Minnesota statute § 260C.163, the court's common practice is to appoint CLC to represent children aged ten or over.¹³ However, though § 260C.163 establishes ten as the default age for mandatory representation, it also authorizes the court to order representation at any age in cases in which it feels appointment is appropriate.¹⁴ The 2009 average age at intake was lower than that of previous years and in contrast to the 2008 sample, where no clients were appointed representation before age ten, there were two clients in the 2009 sample population whose representation began when they were nine years old. These developments suggest that Minnesota courts are beginning to utilize the discretionary appointment power to order representation for children under age ten despite the fact that such appointments remain relatively rare. CLC will continue to advocate for increased judicial discretion pertaining to appointment to ensure that children in need of legal representation receive it as soon as possible regardless of their age.

	CLC 2009	National Avg. 2009 ¹⁵	CLC 2008 ¹⁶	CLC 2007 ¹⁷
Mean Age (in years)	12.9	8.6	14.2	13.2



¹³ See Minnesota Statute § 260C.163 at <https://www.revisor.mn.gov/statutes/?id=260C.163&year=2009>.

¹⁴ See id.

¹⁵ See NCLN Client Demographics Report for all cites (closed in year 2009).

¹⁶ See NCLN Client Demographics Report for Minnesota (closed in year 2008).

¹⁷ See NCLN Client Demographics Report for Minnesota (closed in year 2007).

Time in Foster Care System without Representation

The charts below indicate the length of time CLC clients in the sample population spent in the foster care system without legal representation. This data was compiled by calculating the difference between the date the child entered the foster care system and CLC's date of intake. The average time CLC sample clients spent in foster care without representation was approximately twenty months.

The data in the sample demonstrates that twenty-four of the forty-one clients (58.5%) were over the age of ten when they entered the foster care system. Of those twenty-four children, only three were appointed representation within approximately two months, despite the language of Minnesota statute § 260C.163. The other twenty-one clients that entered the system over age ten remained in the system without representation between four and over twenty-four months. Among the seventeen children (41.5%) that entered the foster care system aged ten or below, eight remained without legal representation past the age of ten, including the youngest child in the sample, who entered the system at age five and was not appointed representation until age seventeen.

The delay in the appointment of representation may be explained by the manner in which various counties are interpreting the phrase "if the child . . . desires counsel . . .," found in Minnesota statute § 260C.163(b), and by the absence of explicit explanatory language in the Minnesota Rules of Juvenile Protection.¹⁸ The Juvenile Protection Rules do not identify children as parties to proceedings and do not describe how children are to be informed of their right to counsel. As a result, children may not be aware of, or understand their rights and thus, may be ill-equipped to express their desire for counsel. Contrastingly, the Rules of Juvenile Delinquency Procedure provide that a child's right to representation attaches no later than the first court appearance and that a waiver of that right must be made knowingly, intelligently, and voluntarily, and in writing or on the record.¹⁹ It is CLC's hope that the Juvenile Protection Rules Committee, run by the Minnesota Supreme Court, will amend the rules in the future to bring them into conformity with the Rules of Juvenile Delinquency Procedure. CLC's Managing Attorney Anne Gueinzus is a member of the Committee and aims to use her experience to engage with the other Rules Committee members and convince them of the necessity of affording children clearly-defined rights and substantive protection through the language of the rules. However, due to budget cuts, Committee meetings are currently on hold. The realization of potential amendments is therefore unlikely to occur in the near future.

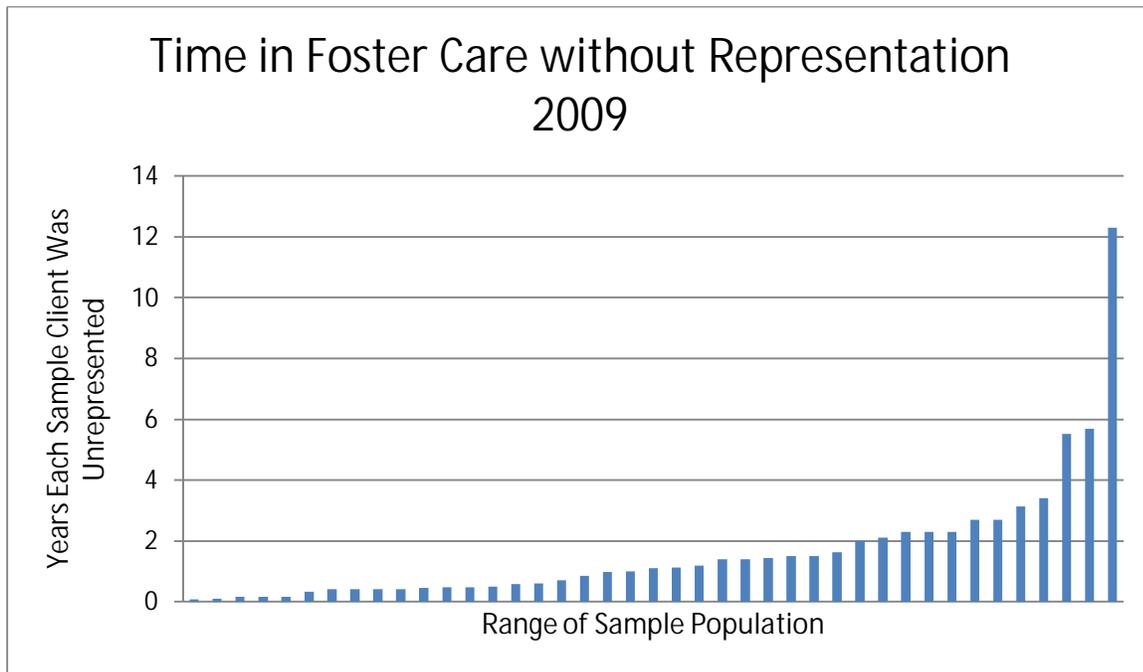
In addition to bolstering CLC's policy oriented initiatives, this data will also be utilized in connection with CLC's representation related advocacy. Encouraging courts to appoint counsel

¹⁸ Minnesota Statute § 260C.163(b) at <https://www.revisor.mn.gov/statutes/?id=260C.163&year=2009>. See also Minnesota Rules of Juvenile Protection Procedure (13 Minn. Prac., Juvenile Law & Practice, 13 MNPRAC).

¹⁹ See Minnesota Rules of Juvenile Delinquency Procedure Rules 3.01, 3.04 (Minn. R. Juv. Del. P. 3, 12 MNPRAC R 3).

for children under the age of ten will simultaneously decrease the amount of time children are forced to spend in the system without representation.

	CLC 2009	CLC 2008 ²⁰
Mean Time in Foster Care without Representation	20.5 months (1.7 years)	32 months (2.7 years)

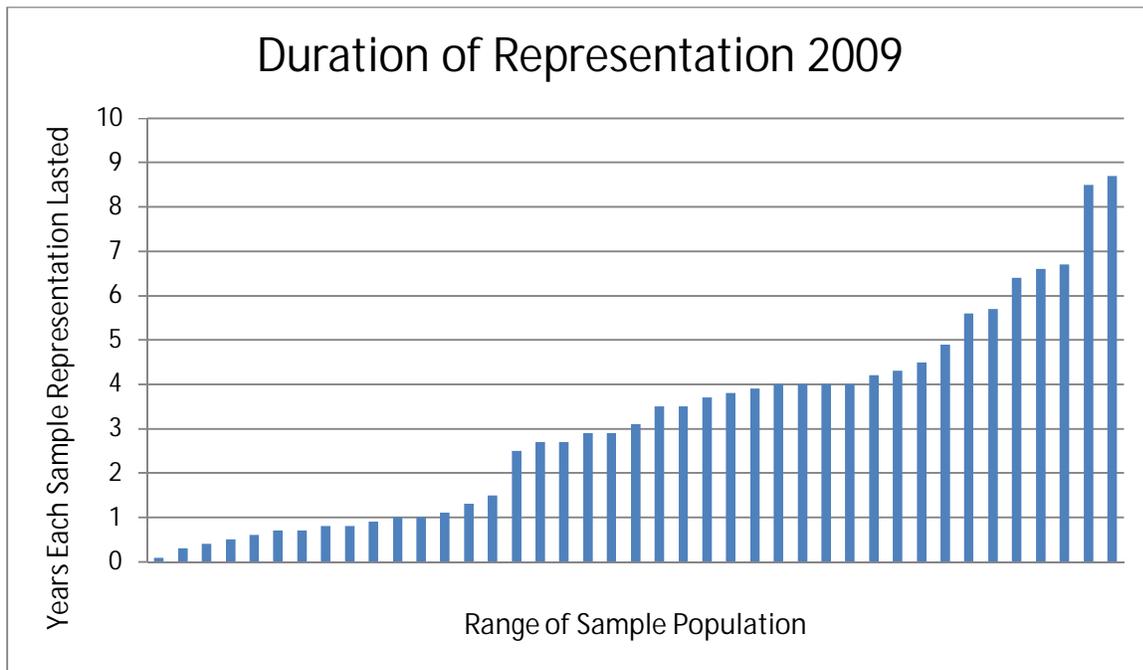


²⁰ See Internal FY08 Client Outcomes Report written by Ben Nichols, University of Minnesota Law School, J.D. Candidate 2011.

Duration of Representation

The charts below depict the average length and range of legal representations, measured from the date of intake to the closing date, in the sample population. The longest representation in the sample lasted 104 months (8.7 years) while the shortest lasted only one month (.08 years).

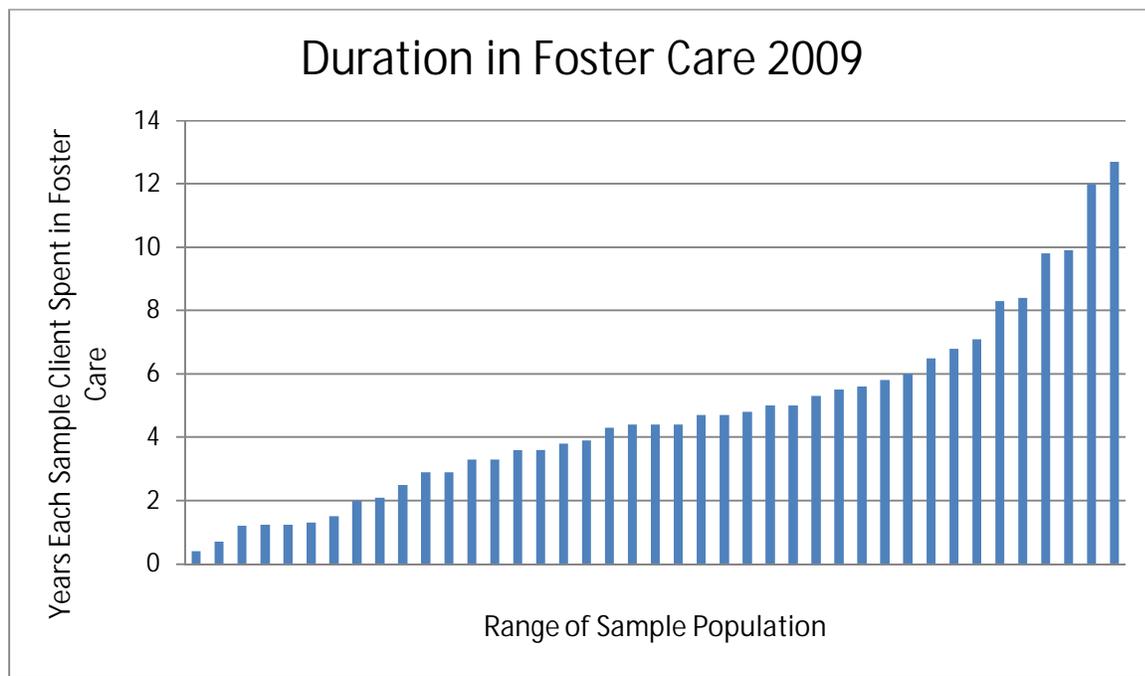
	CLC 2009	CLC 2008
Mean	37.7 months (3.1 years)	37 months (3.1 years)



Duration in Foster Care

The duration in foster care measurement indicates the amount of time CLC clients spent in the foster care system, which encompasses both time spent with and without representation. As demonstrated below, CLC clients remain in the foster care system over two times longer than the average national client, despite the decrease from the 2008 to 2009 sample. Of the forty-one clients analyzed in the 2009 sample, two remained in the foster care system for twelve years or more. This represents an improvement from 2008 as two clients in that sample spent over sixteen years in the foster care system.

	CLC 2009	National Avg. 2008 ²¹	CLC 2008 ²²
Mean	58.1 months (4.8 years)	27.2 months (2.3 years)	70 months (5.8 years)



²¹ See Administration for Children and Families website at http://www.acf.hhs.gov/programs/cb/stats_research/afcars/tar/report16.htm (path: <http://www.acf.hhs.gov/index.html> Policy/Planning: Statistics/Data Adoption and Foster Care Statistics AFCARS Report # 16 (Preliminary Estimates for FY 2008) Lengths of Stay of Children in Foster Care).

²² See Internal FY08 Client Outcomes Report written by Ben Nichols, University of Minnesota Law School, J.D. Candidate 2011.

Presenting Problems/ Client Experiences

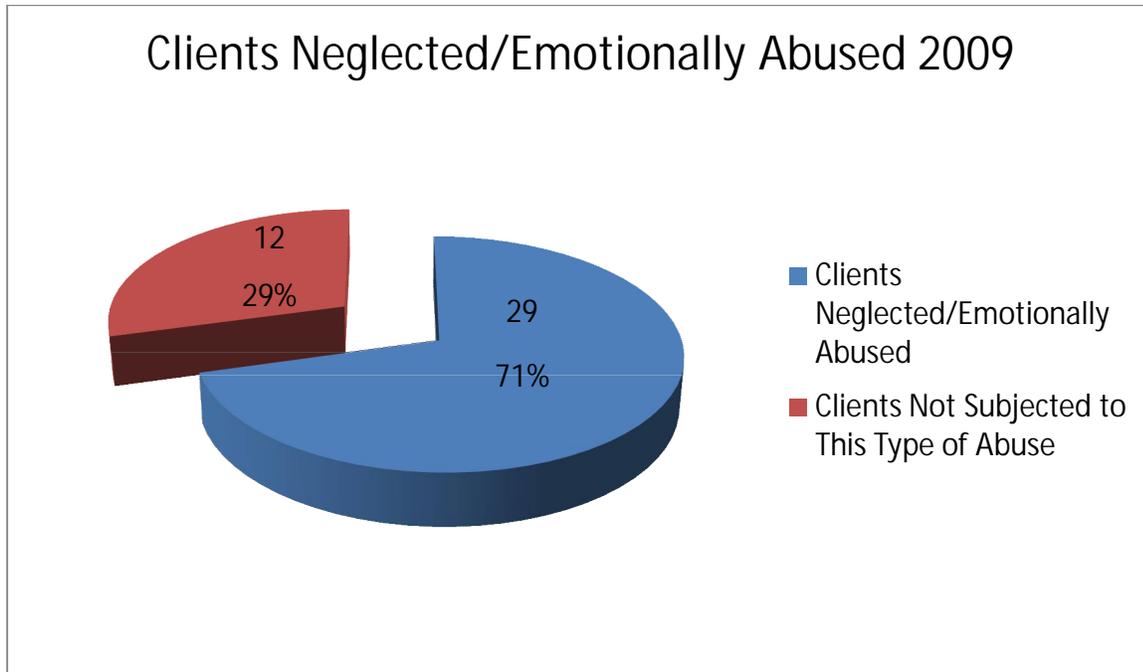
CLC identified the experiences of clients in the 2009 sample in an effort to better understand what types of services and support are needed immediately upon intake and throughout the representation. The experiences tracked include those which were the presenting problems at intake and those which clients suffered while in the system and represented by CLC.

Percentage of Clients Neglected/Emotionally Abused

Twenty-nine clients (70.7%) in the 2009 sample were emotionally abused and/or neglected prior to becoming a CLC client. Emotional abuse and neglect were combined into one field because they are often interrelated and courts do not cite emotional abuse as frequently as neglect due to proof-related difficulties. In the 2009 sample, the court made a finding of emotional abuse in only two cases. Those two clients were also neglected. The 2009 figure of twenty-nine thus reflects the number of clients that were neglected. CLC data from 2007 and 2008 is similarly based on the number of clients that experienced neglect. The national average accounts for both neglect and emotional abuse, as other states had greater numbers of emotionally abused clients at intake. The national figure for 2009 was calculated by combining the number of clients emotionally abused (56) with the number of neglected clients (188) and dividing that sum by the total number of clients in the database whose cases were closed in 2009 (411).

The percentage of CLC clients neglected and/or emotionally abused in 2009 was ten percent greater than the national average and amounted to a twenty percent increase from 2008. However, high figures in this field are not uncommon as over eighty-seven percent of clients in the 2007 sample were neglected and/or emotionally abused. In light of the consistently high percentages, CLC is committed to advocating for services and resources connected to this type of abuse. To ensure that our attorneys are able to do so effectively, CLC is working to create legally-specific, trauma training programs that focus on the impact neglect and abuse has on children and their development.

	CLC 2009	National Avg. 2009 ²³	CLC 2008 ²⁴	CLC 2007 ²⁵
Clients Neglected/Emotionally Abused	29 of 41 (70.7%)	244 of 411 (59.4%)	18 of 35 (51.4%)	63 of 72 (87.5%)



²³ See NCLN Goals and Strategies: Presenting Problems for all cites (closed in year 2009) for national data regarding neglect/emotional abuse, physical abuse, and sexual abuse. National data percentages for 2009 were calculated by dividing the number of clients that experienced the type of abuse by 411, the total number of clients, including CLC clients, whose cases closed in 2009 and who were in the database at the time the analysis was conducted. Note: NCLN national data for the neglect/emotional abuse, physical abuse, and sexual abuse fields includes only the abuse that was a presenting problem for each client, whereas the CLC 2009 figures include not only the abuse that served as the presenting problem, but also the abuse suffered by clients while represented by counsel. However, the discrepancy between the data sets is slight because only one client in 2009 suffered sexual and physical abuse after her representation began.

²⁴ See NCLN Goals and Strategies: Presenting Problems for Minnesota (closed in year 2008) for 2008 Minnesota data regarding neglect/emotional abuse, physical abuse, and sexual abuse. NCLN data for 2008 includes only the abuse that was identified as a presenting problem for each client.

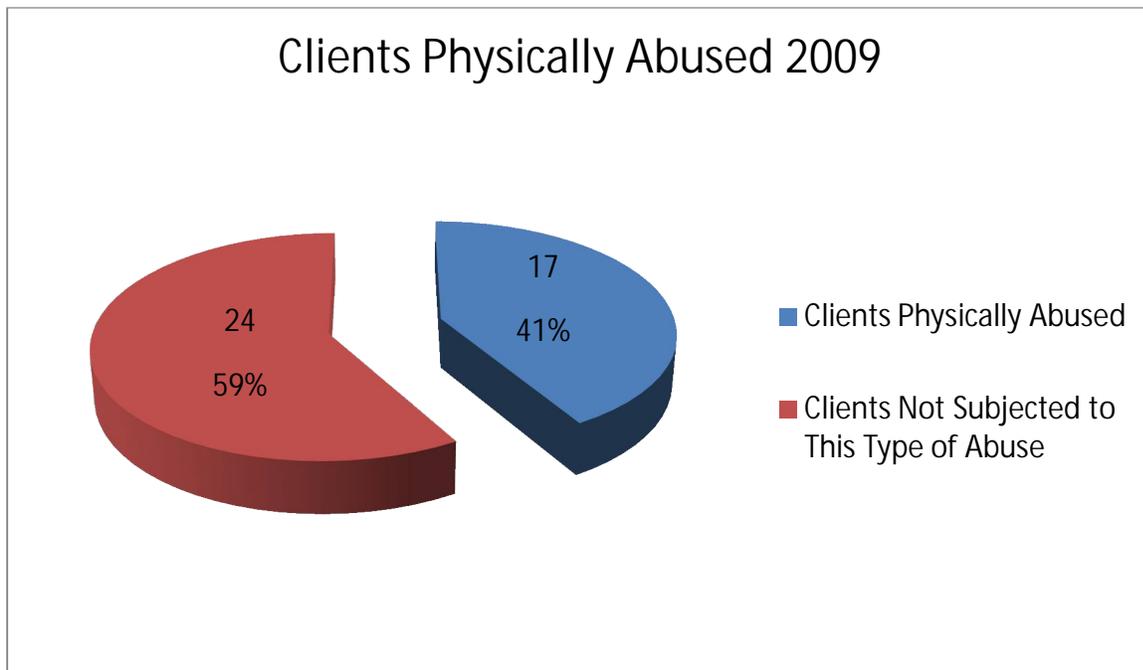
²⁵ See NCLN Goals and Strategies: Presenting Problems for Minnesota (closed in year 2007) for 2007 Minnesota data regarding neglect/emotional abuse, physical abuse, and sexual abuse. NCLN data for 2007 includes only the abuse that was identified as a presenting problem for each client.

Percentage of Clients Physically Abused

Seventeen clients (41.5%) in the 2009 sample experienced physical abuse. In sixteen of the seventeen cases, physical abuse was a presenting problem. However, one client experienced physical abuse after her representation began. Though the comparison data is analogous, NCLN measures only abuse that was a presenting problem at clients' intake and thus does not account for the one client abused after receiving counsel, or for similarly situated clients of previous years.

The 2009 forty-one percent figure is almost two times greater than the national average and is higher than the percentages of the previous two years.

	CLC 2009	National Avg. 2009	CLC 2008	CLC 2007
Clients Physically Abused	17 of 41 (41.5%)	88 of 411 (21.4%)	12 of 35 (34.3%)	18 of 72 (25%)

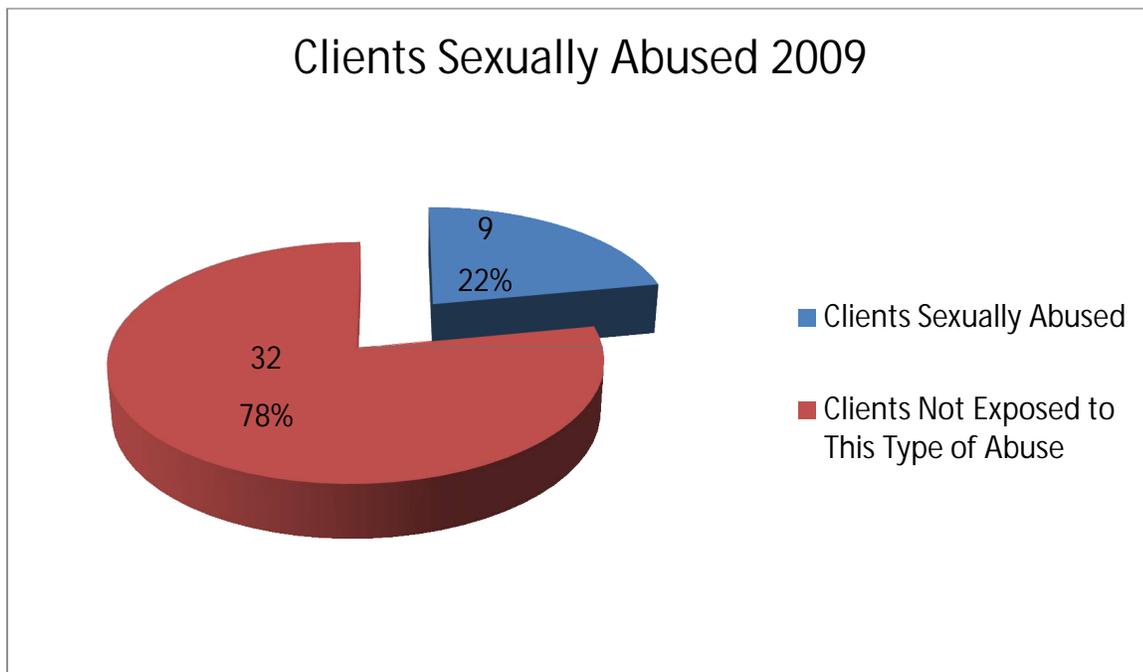


Percentage of Clients Sexually Abused

Nine of the forty-one clients (22%) in the sample were sexually abused at some point in their lives. Sexual abuse was a presenting problem for eight of those nine clients. The remaining client was sexually abused during the course of her representation. As noted above, NCLN accounts for only the abuse that was a presenting problem at intake and thus does not incorporate the experience of the client abused after her representation began or the experiences of like clients of previous years.

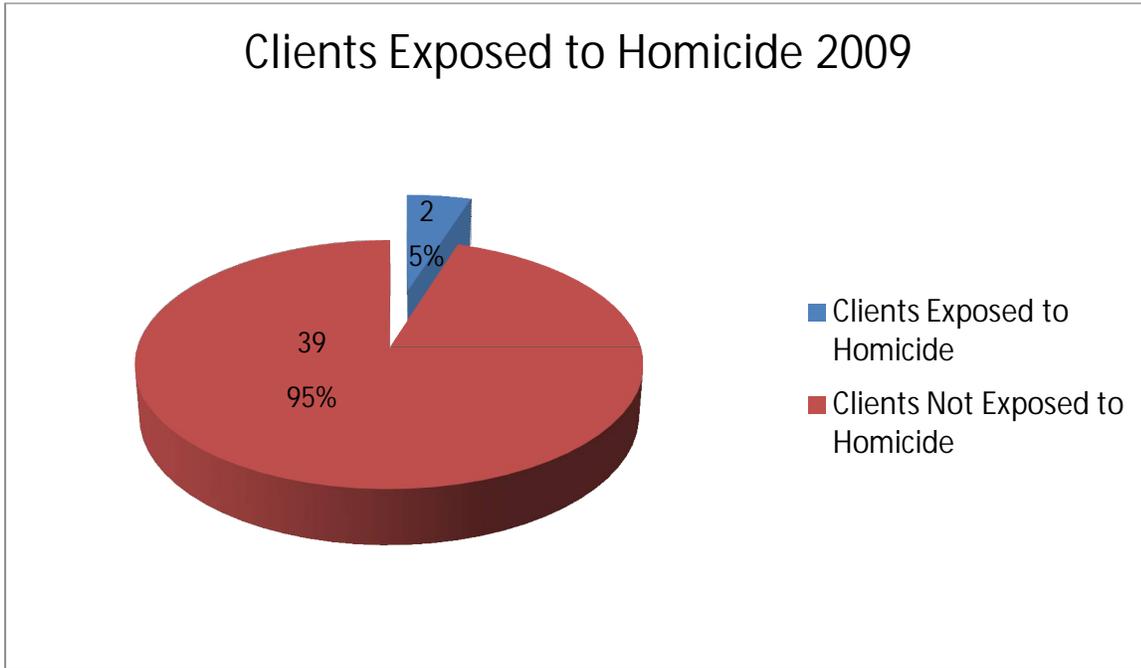
As with physical abuse, the percentage of 2009 sample clients sexually abused was double the national average and was greater than the 2007 and 2008 CLC figures. CLC must therefore remain committed to obtaining long-term, healing-oriented services for their clients to enable them to cope with and move beyond these abusive encounters.

	CLC 2009	National Avg. 2009	CLC 2008	CLC 2007
Clients Sexually Abused	9 of 41 (22%)	45 of 411 (10.9%)	2 of 35 (5.7%)	13 of 72 (18.1%)



Percentage of Clients Exposed to Homicide

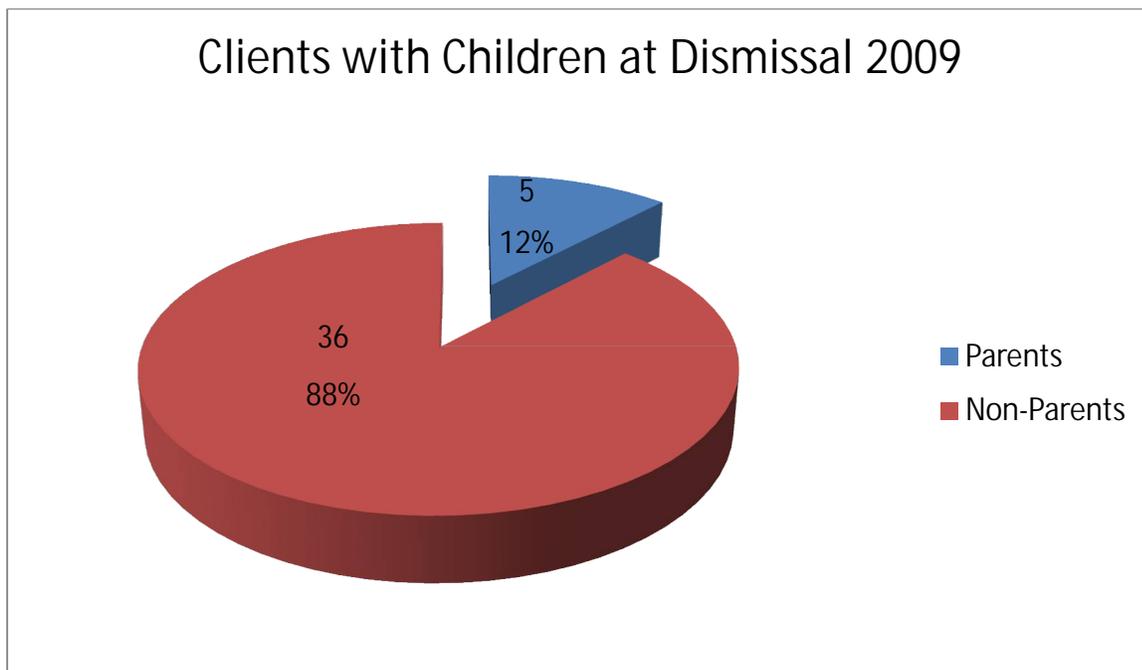
Two of the forty-one clients in the 2009 sample were exposed to homicide. Both clients were present in their homes while a family member was killed by a third-party. As with neglect and abuse, it is important for attorneys representing clients that have witnessed homicide to understand the long-lasting effects that accompany experiencing such trauma.



Percentage of Clients with Children at Dismissal

Five clients (12%), two males and three females, had children of their own at case close. Of the five clients, two had been sexually abused as children. NCLN does not track the number of clients, nationally, that exited the foster care system with children. However, it does identify the number of cases in which teen parenting was a presenting problem. In 2009, there were thirty-three teen-parent clients (8%) at intake. Given that eight percent of clients across the country entered the foster care system as parents, CLC's figure of twelve percent, at the time of dismissal, is likely comparable to the national equivalent.

Clients with Children at Dismissal	CLC 2009
Female Clients with Children	3 (7%)
Male Clients with Children	2 (5%)
Total	5 (12%)



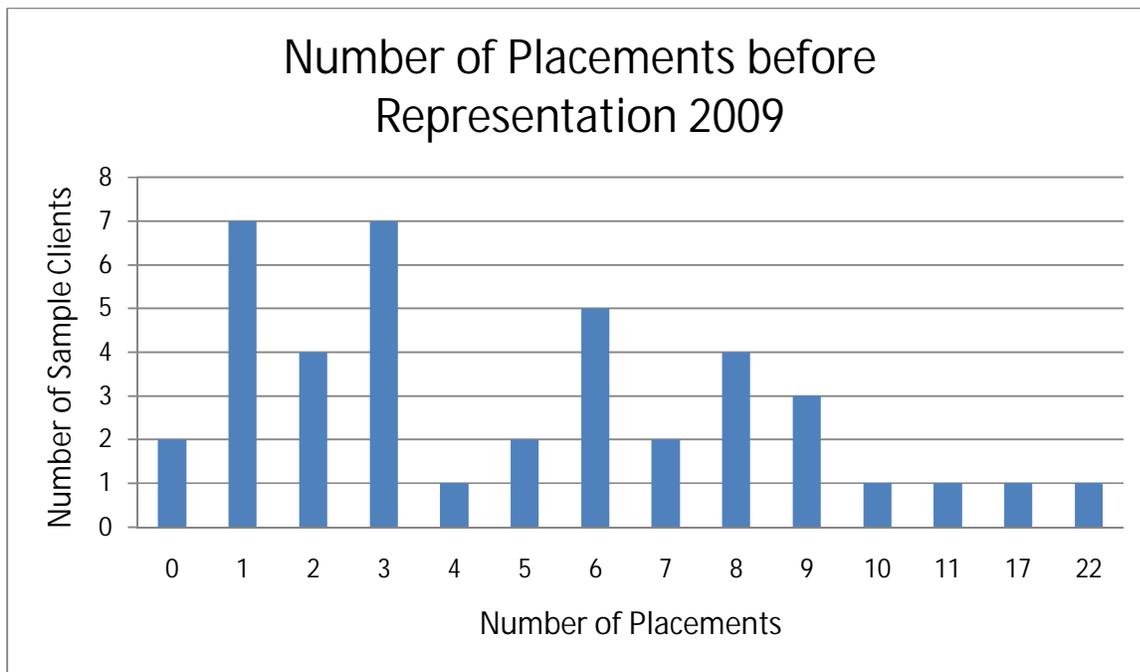
Client Placements

In an effort to examine how legal representation influences the longevity and appropriateness of placements, CLC analyzed the approximate number of placements each client in the sample experienced both before and after their representations began.

Avg. Number of Placements before Representation 2009	Avg. Number of Placements during Representation 2009
5.2	5

Number of Placements before Representation

The number of placements clients in the 2009 sample experienced before their representations began ranged from zero to twenty-two. However, approximately ninety percent of the clients spent time in fewer than ten placements before receiving counsel.

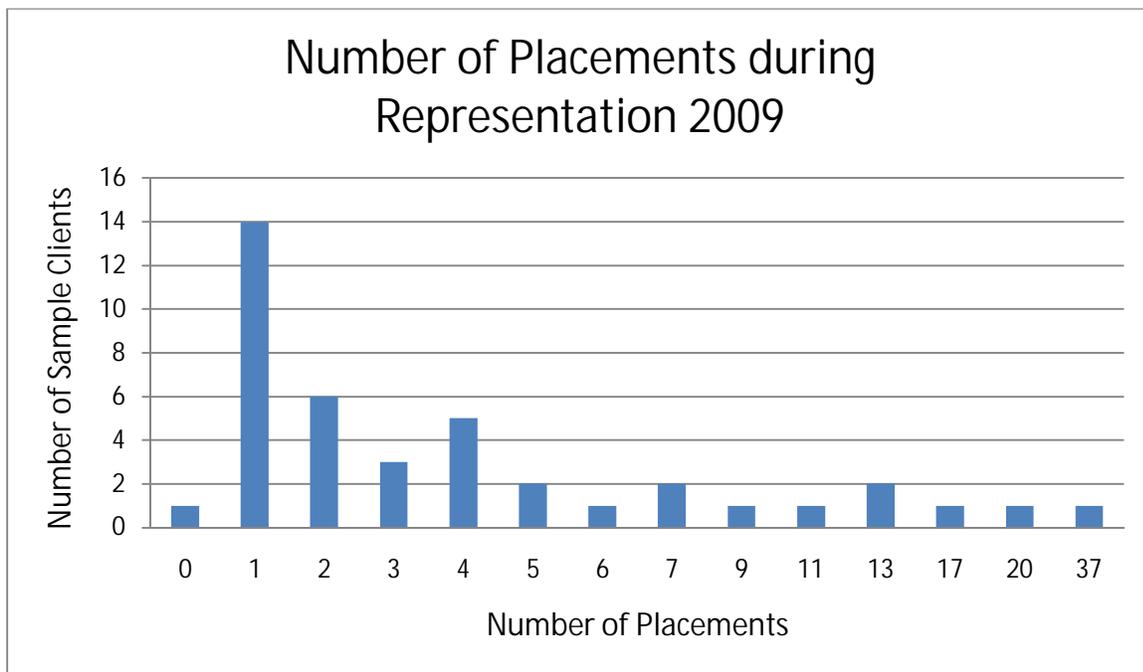


Number of Placements during Representation

Almost ninety percent of the attorneys in the sample advocated for client placements, twenty-one attorneys (51.2%) advocated for placements generally, and another fifteen (36.6%) advocated for specific placements on behalf of their clients. Though the average number of placements before and during representation are nearly identical, the few outliers in the during representation data set skew the mean value. Fifteen of the forty-one clients (36.6%) in the sample spent time in only one placement or less during the course of their legal representations. Moreover, thirty-one of the clients (75.6%) spent time in five or fewer placements during their representations compared to the twenty-three (56.1%) that did so before their representations began. Legal representation therefore did have a positive effect

on the number of times clients were placed. To maintain and augment the progress made in this area, CLC must design programs and provide volunteer attorneys with materials describing how to advocate for placement stability to ensure that advocacy addresses not only placements in a general fashion, but also encompasses the importance of placement longevity.

In the majority of cases, limiting the number of client placements is an attainable objective and representation facilitates its achievement. However, a high placement number during representation does not detract from the necessity of providing foster care children with attorneys. Clients may be forced to spend time at more placements as a result of their behavior, or may prefer moving to a number of placements rather than remaining at facilities or in homes they are uncomfortable with. The three clients that spent time in seventeen or more placements during their representations in 2009 all experienced two or more disrupted placements and all spent time in foster homes and in delinquency placements. One of the clients ran away from a number of her placements, another was charged with several felonies, and the third wished to avoid adoption. Moreover, all three of the attorneys involved in those cases advocated for placements. As a result, the outliers in the data set also suggest strong advocacy and reinforce the importance of appointing attorneys to represent children in the foster care system.



Permanency/Education Outcomes

Approximately ninety-three percent of the clients in the 2009 sample had positive permanency outcomes. Three clients had negative permanency outcomes. Two (5%) were missing from their families and from the system at dismissal, and one (2%) aged out of the system with inadequate support. While few in number, the negative outcomes nevertheless represent an increase from 2008, when no client in the sample aged out of the system with inadequate support or was missing from the system at case close.

Though neglect or some form of abuse was the presenting problem in the vast majority of cases, eleven clients (26.8%) either stayed with the same caregiver or returned to a birth parent after placement. This figure, despite being much lower than the national percentage, is over two times the 2008 CLC percentage. The proportion of adoptions also increased from 2008 to 2009, as twenty percent of the clients in 2009, compared to only four percent in 2008, obtained permanency through adoption. Of the three clients whose permanency outcome was listed as "other" at case close, one was residing at a long-term foster care home awaiting adoption, one was living in a group home, and one was apartment searching while at a foster care home.

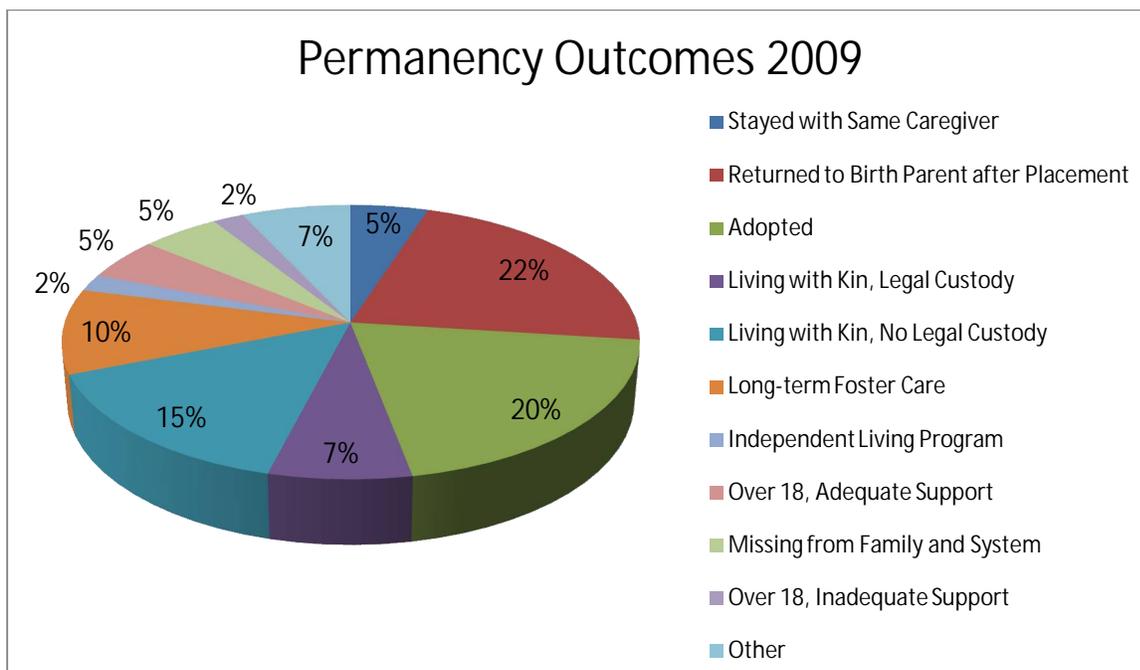
The most commonly cited barriers to permanency were client wishes and two or more disrupted placements.

Permanency Outcomes

Permanency Resolution	CLC 2009	National Avg. 2009 ²⁶	CLC 2008 ²⁷
Stayed with Same Caregiver, No Out-of-Home Placement	2 of 41 (5%)	90 of 345 (26%)	1 of 24 (4%)
Returned or Moved to Birth Parent after Placement	9 of 41 (22%)	85 of 345 (25%)	2 of 24 (8%)
Adopted	8 of 41 (20%)	72 of 345 (21%)	1 of 24 (4%)
Living with Kin, Who Gained Legal Custody	3 of 41 (7%)	31 of 345 (9%)	4 of 24 (17%)
Living with Kin, No Legal Custody	6 of 41 (15%)	8 of 345 (2%)	1 of 24 (4%)
Guardianship	0 of 41 (0%)	15 of 345 (4%)	0 of 24 (0%)
Long-term Foster Care	4 of 41 (10%)	9 of 345 (3%)	6 of 24 (25%)
Independent Living Program	1 of 41 (2%)	1 of 345 (0%)	0 of 24 (0%)
Over 18, Living Independently with Adequate Support	2 of 41 (5%)	10 of 345 (3%)	3 of 24 (13%)
Missing from Family and System	2 of 41 (5%)	2 of 345 (1%)	0 of 24 (0%)
Adjudicated Delinquent or Adult Criminal	0 of 41 (0%)	3 of 345 (1%)	0 of 24 (0%)
Under 18, Discharged with Inadequate Support	0 of 41 (0%)	2 of 345 (1%)	0 of 24 (0%)
Over 18, Aged Out with Inadequate Support	1 of 41 (2%)	8 of 345 (2%)	0 of 24 (0%)
Unable to Locate but Likely with Family	0 of 41 (0%)	4 of 345 (1%)	0 of 24 (0%)
Transferred out of Jurisdiction	0 of 41 (0%)	1 of 345 (0%)	0 of 24 (0%)
Other	3 of 41 (7%)	4 of 345 (1%)	6 of 24 (25%)

²⁶ See NCLN Permanency and Education Outcomes Report for all cites (closed in year 2009). Permanency information was available for 345 clients nationwide. The base for all outcome percentages is therefore 345. Note: NCLN percentages are rounded to whole numbers. As a result, the website lists the independent living program and transferred out of jurisdiction fields at 0% rather than .3% to reach a total of 100%.

²⁷ See NCLN Permanency and Education Outcomes Report for Minnesota (closed in year 2008). Permanency information was only available for twenty-four clients. The base for all outcome percentages is therefore twenty-four. Note: No permanency data was available on NCLN for CLC cases closed in 2007 other than that two clients were adopted.



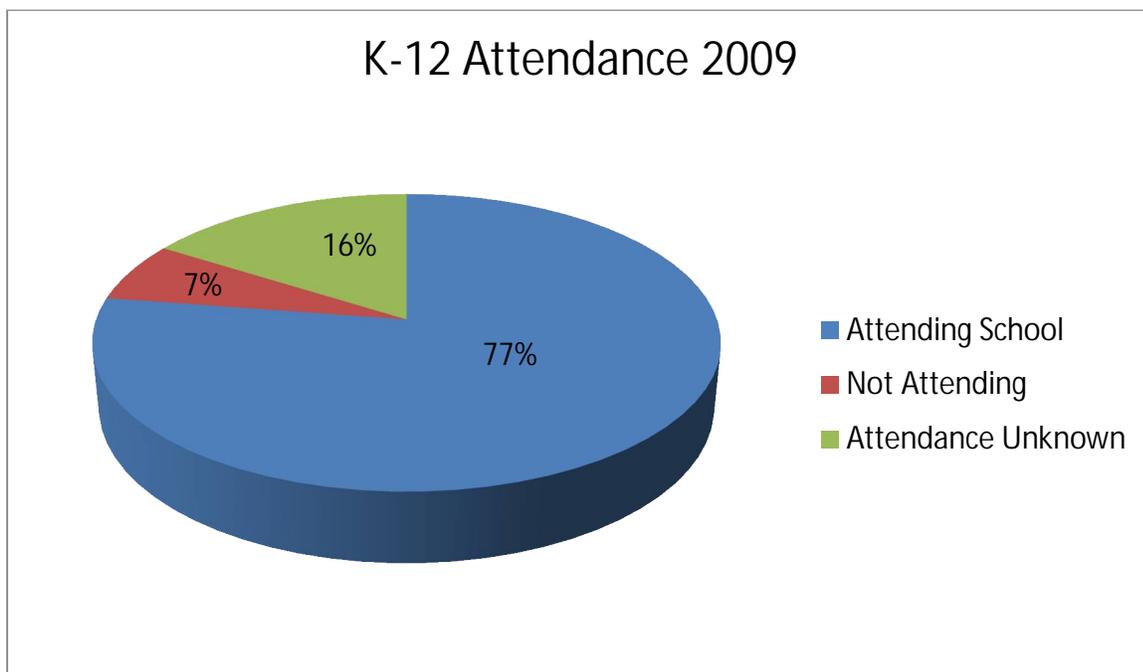
Education Outcomes

At case close, twenty-four of the thirty-one clients (77.4%) who should have been enrolled in K-12 were attending school regularly. Two clients (6.5%), both of whom should have graduated by case close, were not attending school, and the educational status of the remaining five (16.1%) clients was unknown. All of the clients attending school were attending appropriate schools with the exception of one. That client was participating in an online high school against the advice of his guardian ad litem, but was nevertheless on track to graduate. One of the clients attending school was working on her GED rather than regular high school diploma.

Seven of the thirty-one clients (22.6%) at the K-12 level should have, but had not, graduated from high school by case close. Of those seven, two clients were attending school regularly, one at an adult continuing education program, two were not attending school, and the status of the final three clients was unknown.

Status of Clients Level K-12 at Dismissal

	CLC 2009 ²⁸	National Avg. 2009 ²⁹	CLC 2008 ³⁰
Clients Level K-12	31 of 41 (76%)	200 of 236 (85%)	14 of 29 (48%)
Attending School at Case Close	24 of 31 (77.4%)	169 of 200 (84.5%)	10 of 14 (71%)
Not Attending School at Case Close	2 of 31 (6.5%)	22 of 200 (11%)	4 of 14 (29%)
School Attendance Unknown	5 of 31 (16.1%)	9 of 200 (4.5%)	0 of 14 (0%)



²⁸ Thirty-one of the forty-one clients in the sample were level K-12 at dismissal. The base for school attendance percentages was therefore thirty-one.

²⁹ See NCLN Permanency and Education Outcomes Report for all cites (closed in year 2009). K-12 and graduation related nationwide educational data was available for 236 clients. Note: The 236 figure does not include data regarding clients pre-school aged or younger, or clients that were not attending school and were not high school graduates, though that data is available on the website.

³⁰ See NCLN Permanency and Education Outcomes Report for Minnesota (closed in year 2008). K-12 and graduation related educational data was available for twenty-nine clients, fourteen of whom were at the K-12 level at dismissal. Note: No education data was available on NCLN for CLC cases closed in 2007.

High School Graduates

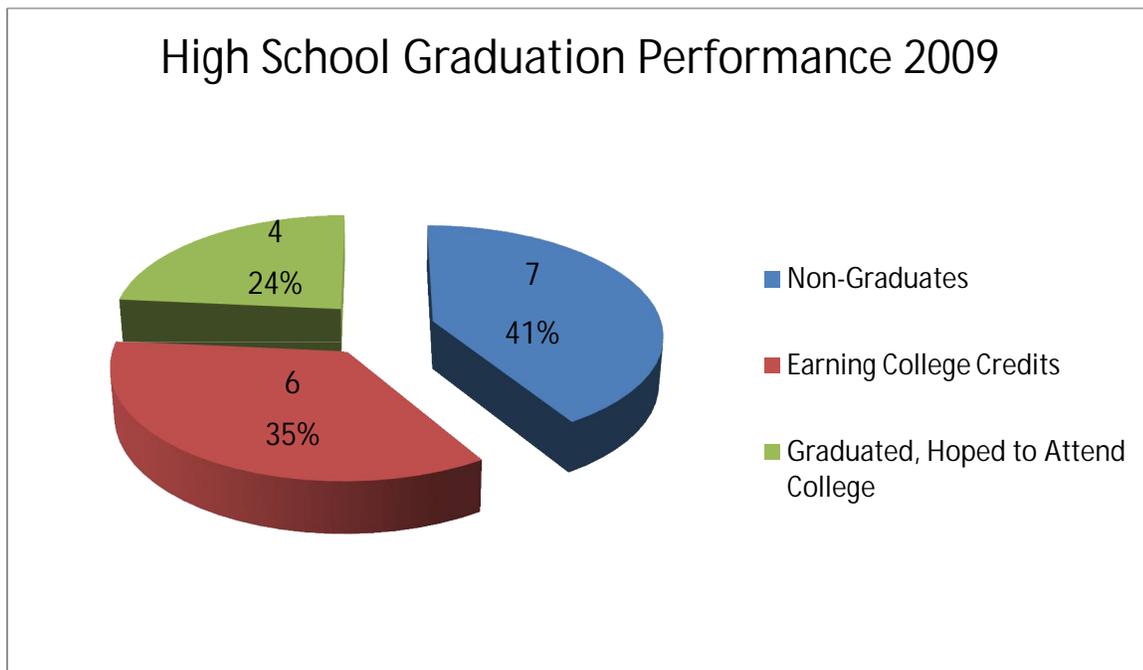
Almost sixty percent of the clients that should have graduated from high school by dismissal did so. All of the clients that graduated from high school either hoped to or were attending college at case close. Of the six clients that were attending college, two were attending four-year institutions and four were attending community or technical colleges.

As discussed above, only two of the seven clients that did not graduate from high school on time were attending school at case close. Two were not attending and the status of the remaining three was unknown.

Though the overall graduation rate was quite strong, the graduation rate for teen parents represented by CLC, at three times lower than that of non-parents, was not. Five clients in the 2009 sample were parents by case close. All of those clients should have graduated from high school by dismissal, but only one of the five (20%) was able to do so. Only one of the four client parents that had not graduated from high school on time was attending school, at an adult continuing education program, at case close. One was not attending and the attendance status of the remaining two was unknown. One of the clients whose status was unknown was on run and the other had one semester's worth of credits to complete.

Because CLC tends to be appointed after children reach the age of ten, CLC needs to devote more resources to educational advocacy. CLC attorneys must be instructed to track the educational status of their clients to guarantee that they are receiving the proper educational services, are performing at grade level, and are on track to graduate. Further, in light of the educational struggles client-parents face, CLC should prepare attorneys to adjust the style of their educational advocacy to include child-care and scheduling support in the case of pregnancy.

	CLC 2009 ³¹	National Avg. 2009 ³²	CLC 2008 ³³
Clients Who Should Have Graduated by Case Close	17 of 41 (41.5%)	36 of 236 (15.3%)	15 of 29 (51.7%)
Not Graduated	7 of 17 (41.2%)	17 of 36 (47.2%)	6 of 15 (40%)
Graduated High School	10 of 17 (58.8%)	18 of 36 (50%)	9 of 15 (60%)
Planning/Hoping to Attend College	4 of 17 (23.5%)	Unknown	Unknown
Earning College Credits	6 of 17 (35.3%)	Unknown	Unknown



³¹ Seventeen of the forty-one clients in the sample were of graduation age at dismissal. The base for graduation related percentages was therefore seventeen.

³² See NCLN Permanency and Education Outcomes Report for all cites (closed in year 2009). It was unknown whether one of the thirty-six national clients (2.8%) that should have graduated did so. Note: The 236 figure does not include data regarding clients pre-school aged or younger, or clients that were not attending school and were not high school graduates, though that data is available on the website. No college related data is available on the NCLN website.

³³ See NCLN Permanency and Education Outcomes Report for Minnesota (closed in year 2008). K-12 and graduation related educational data was available for twenty-nine clients. Fifteen of the twenty-nine (51.7%) should have graduated high school by dismissal. Note: No educational data was available on NCLN for CLC cases closed in 2007 and NCLN does not provide college related data.

Conclusion

CLC uses the information contained in this report to inform its practice and better represent its clients. In view of the data generated from the 2009 sample, CLC plans to place greater emphasis on engaging with the judiciary and individuals in the child protection system to encourage appointment at earlier ages and to ensure that children in the foster care system are aware of their rights. These efforts will reduce the amount of time children are forced to remain in the system without a voice.

In terms of its representation, the data demonstrates that CLC must devote more time and resources to advocating for abuse and neglect related services, for placement stability, and for positive permanency and educational outcomes. Of the clients in the sample, over seventy percent experienced neglect and/or emotional abuse, forty-one percent experienced physical abuse, and twenty-two percent experienced sexual abuse. In response, CLC is designing trauma-oriented training programs to educate our volunteer attorneys about the ramifications of neglect and abuse so they are able to effectively advocate for the support and services their clients need. Moreover, in order to minimize the amount of trauma clients experience during the course of their representations, CLC will place greater emphasis on advocating for placement stability and longevity.

Considering the age at which the majority of clients receive counsel, it is also essential that CLC dedicate more energy to tracking school performance and preparing clients for independent living. Seven clients that should have graduated from high school by case close in the 2009 sample did not and three clients had negative permanency outcomes. Encouraging clients to attend school and to begin preparing for their futures at an earlier stage in the representation will increase the likelihood of achieving positive educational and permanency outcomes.

It is CLC's hope that by using the 2009 sample data to implement these changes, it will be better equip to inform, navigate, and empower children of the Minnesota foster care system.