



THE OFFICE OF THE CHILD ADVOCATE



Tania M. Culley, Esquire
Child Advocate

ANNUAL REPORT

FISCAL YEAR 2006

(July 1, 2005 - June 30, 2006)



OFFICE OF THE CHILD ADVOCATE

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6 West Market Street • Suite 1 • Georgetown, Delaware 19947 • Voice 302.856.5720 • Fax 302.856.5722
<http://courts.delaware.gov/childadvocate>

Mission

The Office of the Child Advocate shall safeguard the welfare of Delaware's children through educational advocacy, system reform, public awareness, training, and legal representation of children as set forth in 29 Del. C., Ch. 90A.

Locations

New Castle County

900 King Street
Suite 210
Wilmington, DE 19801
Ph: (302) 255-1730
Fax: (302) 577-6831

Kent/Sussex Counties

6 West Market Street
Suite 1
Georgetown, DE 19947
Ph: (302) 856-5720
Fax: (302) 856-5722

Staff

Child Advocate

Deputy Child Advocates

Tania M. Culley, Esquire

Angela M. Fowler, Esquire

Lorin Hochman Hurst, Esquire

Heather S. Williams, Esquire

Pro Bono Coordinator

Mary Catherine (MC) Landis, Esquire

Program Administrator

Anne Pedrick

Family Crisis Therapists

Celeste Bishop

Jennifer Falkowski

Office Manager

Molly Dunson

Volunteers, Interns and Law Clerks

Stacey Callaway
Megan Cathey
Geoffrey Cebula
Tom Cesar
Shannon Chant
Marisa Duffy

Abby Friedlander
Neha Gogate
Corie Guberman
David Hall
Jaime Hastings
Lanette Heffner

Kimberly Hoskin
Mary Kaye Jacono
Lori Jaross
Joy Lawson
Jennifer Lim
Heather Meister

Emily Morse
Danielle Norris
Eileen Webster
Emily Weidenhamer

Website: <http://courts.delaware.gov/childadvocate>

Goals

- * Ensure that every child's voice is heard in every court proceeding that affects his or her life;
- * Ensure that every partner in the child protection system has the necessary education and training to put a child's safety and well-being above all else;
- * Ensure that Delaware's child welfare laws reflect the needs of our children.

Duties

- * Effectuate the purposes of the Child Protection Accountability Commission;
- * Take all possible actions, including programs of public education and legislative advocacy, to ensure the legal, civil and special rights of children;
- * Revise, periodically, all relevant policies and procedures with a view toward the rights of children;
- * Refer any person making a complaint or report required by Chapter 9 of Title 16 of the Delaware Code to the Division of Family Services, and, if warranted, to an appropriate police agency. If a complaint or report includes an allegation of misconduct against a Department of Services for Children, Youth & Their Families employee, the complaint or report must also be referred to the Secretary of the Department of Services for Children, Youth, & Their Families;
- * Recommend changes in the procedures for investigating and overseeing the welfare of children;
- * Make the public aware of the services of the Office of the Child Advocate and the Child Protection Accountability Commission, their purposes, and how they can be contacted;
- * Apply for and accept grants, gifts and bequests of funds from other state, federal and interstate agencies, as well as from private firms, individuals and foundations for the purpose of carrying out the Child Protection Accountability Commission's lawful responsibilities. The funds must be deposited with the State Treasurer in a restricted receipt account established to permit funds to be expended in accordance with the provision of the grant, gift or bequest;
- * Examine policies and procedures and evaluate the effectiveness of the child protection system, specifically the respective roles of the Division of Family Services, the Attorney General's Office, the courts, the medical community and law enforcement agencies;
- * Review and make recommendations concerning investigative procedures and emergency responses of the child welfare system;
- * Develop and provide quality training to Division of Family Services' staff, Deputy Attorneys General, law enforcement officers, the medical community, Family Court personnel, educators, day care providers, and others on the various standards, criteria and investigative technology used in child welfare cases;
- * Submit an annual report analyzing the work of the Office of the Child Advocate that shall be included in the Child Protection Accountability Commission's annual report; and
- * Take whatever other actions are necessary to help the Child Protection Accountability Commission accomplish its goals.

Fiscal Year 2006

OCA Pro Bono Attorneys Honor Roll

Derek Abbott	John Conly	Thomas Gay	Brian Kasprzak	Kathleen Miller	Pamela Scott
Michael Abram	Art Connolly, Jr.	Kathleen Geiger	Lynn Kelly	Lisa Minutola	Theresa Sedivec
Jon Abramczyk	The Hon. Alan Cooper	Melanie George-Marshall	Michael Kelly	Alisa Moen	Suzanne Seubert
Roger Akin	Margaret Cooper	Glynis Gibson	Felice Kerr	Norman Monhait	Thomas Shellenberger
Debra Aldrich	Jason Cornell	Paul Golian	Eleanor Kiesel	Chaneta Montoban	Liza Sherman
Michael Allen	Michael Corrigan	Andrew Gonser	Elizabeth King	Paulette Sullivan Moore	Michele Sherretta
Thomas J. Allingham II	Victoria Counihan	William Gonser, Jr.	Shelley Kinsella	Sharon Morgan	Nicholas Skiles
Susan Ament	Scott Cousins	Alison Goodman	Gretchen Knight	Richard Morse	Fontini Skouvakis
Melony Anderson	Cydia Cox	Todd Goodman	Steven Kortanek	Regina Mullen	Jaclyn Smagala
John Andrade	Lurtis Crowther	Susan Gordon	Edward Kosmowski	Francis Murphy	David Snyder
Lisa Armstrong	David Culley	Brian Gottesman	Carl Kunz	D. Fon Muttamara-Walker	Leslie Spoltore
David Arndt	Donna Culver	Charles Gray	Marie Labruyere	Frank Nardo	Monte Squire
Michael Arrington	Edward Curley	James Green	Kimberly Ladig	Katherine Neikirk	Lisa Stark
Addie Asay	Brock Czeschin	Joseph Green	Peter Ladig	Seth Niederman	Benjamin Strauss
Daniel Astin	James Dalle Pазze	Kelly Green	Gregory Ladner	Jennifer Noel	Jonathan Strauss
Daniel Atkins	Bartholomew Dalton	Thomas Grimm	William Lafferty	Maryellen Noreika	Catherine Strickler
Mary Augustine	John Daniello	Kevin Gross	Kathryn Laffey	Frank Noyes, II	William Sudell, Jr.
Christine Azar	George Danneman	Jerome Grossman	Mary Catherine Landis	Kevin O'Brien	Renee Suglia
James Bailey	Alicia Kelly Davis	Mark Gundersen	Kimberly Large	Tyler O'Connell	John Sullivan, Jr.
John Balaguer	Christine Dealy	Kathleen Hadley	Tara Lattomus	Elizabeth Olsen	Karen Sullivan
Samantha Balick	Sandra Dean	Shauna Hagan	Kimberly Lawson	Jonathan O'Neill	Paul Sunshine
Joseph Barry	Kim DeBonte	Gerald Hager	Jonathan Layton	Deirdre O'Shea	Scott Swenson
Jennifer Becnel-Guzzo	Daniel DeFranceschi	David Haley	Lewis Lazarus	Susan Over	Larry Tarabicos
Michael Bednash	Christine Demsey	Kara Hammond	Jane Leamy	Jenness Parker	James D. Taylor, Jr.
Rebecca Beste	David Denham	Joseph Handlon	Timothy Lengkeek	James Parrett, Jr.	Gregory Taylor
Robert Beste	John Denney	Patricia Hannigan	James Lennon	Adam Perza	John H. Taylor, III
Antonia Bevis	Margaret DiBianca	Jeanne Hanson	Norman Levine	Victoria Petrone	Michael Teichman
Shakuntla Bhaya	Sarah DiLuzio	Thomas Hanson	Neal Levitsky	Dennis Phifer	David Teklits
Ian Connor Bifferato	Nicole DiSalvo	Edwin Harron	Roger Levy	Francis Pileggi	Harlan Tenenbaum
Vincent Bifferato, Jr.	Jill Disciullo	Becky Hartshorn	Elizabeth Lewis	Kathryn Pincus	Allen Terrell
Michael Bonkowski	William Doerler	Natalie Haskins	Andrew Lippstone	Mary Ann Plankinton	Anthony Testa, Jr.
Mary Boudart	Sean Dolan	Theresa Hayes	Susan List	Anne Podczasy	Catherine Thompson
Curtis Bounds	Jennifer Donahue	Kevin Healy	Zhun Lu	Ronald Poliquin	John Thompson
Jennifer Brady	John Dorsey	Leslie Heilman	Thomas Macauley	Tiffany Poole	Seth Thompson
John F. Brady	Michele Muldoon Dotto	Catherine Hickey	Stanley Macel	Susan Poppiti	Erika Tross
Jennifer Brierley	Shawn Dougherty	Suzanne Hill	Titania Mack	Vincent Poppiti	Rebecca Tulloch
H. Cabbage Brown	W. Harding Drane, Jr	Timothy Hitchings	Lauren Maguire	Thomas Preston	Patricia Uhlenbrock
Lisa Zwally Brown	Thomas Driscoll	Thomas Hodukavich	Megan Mahle	Amy Quinlan	Andrea Unterberger
Paul Brown	James Drnec	Stephan Holfeld	Kevin Mann	Andrew Rahaim	Robert Valihura
Gary Bryde	Mary Dugan	David Holmes	Maria Marcantoni	Jennifer Barber Ranji	Jan van Amerongen, Jr.
Thomas Burkhart	Kelly Dunn-Gelof	Jeremy Homer	Elizabeth Marchioni	Vivian Rapposelli	Kathryn van Amerongen
Nicholas Caggiano, Jr.	Bradley Eaby	Thomas Horan	Thomas Marconi	B. Wilson Redfearn	Patrick Vanderslice
Timothy Cairns	Scott Earle	Vivian Houghton	Mary Erin Mariani	Seth Reidenberg	Karen Vicks
Peter Calder	Edward Eaton	Timothy Houseal	Michelle Marino	Richard Renck	Michael Vild
Christie Day Cannon	Craig Eliassen	Eric Howard	Timothy Martin	Sheldon Rennie	Nicole Walker
Deborah Carey	Margaret England	Janine Howard	Dennis Mason, II	Joseph Rhoades	Megan Walstrom
Melissa Cargnino	Kenneth Enos	Kevin Howard	David McBride	Helen Richards	Robert Weber
Linda Carmichael	Elwood Eveland	Amy Hudson	Garvan McDaniel	Linda Richenderfer	Michael Weidinger
Megan Ward Cascio	Sherry Fallon	David Hurst	Michael McDermott	Courtney Riordan	David Weidman
Denis Casey	Cynthia Faraone	Jennifer Hurvitz	Charles McDowell	Michael Ripple	Margaret Whiteman
Tabatha Castro	Amy Feeney	David Hutt	Bernard McFadden	David Ripsom	Patricia Widdoss
Eileen Caulfield	Dennis Ferri	Diane Ibrahim	Lexie McFassel	Michael R. Robinson	William Wilgus
Teresa Cheek	GianClaudio Finizio	Frederick Iobst	James McGiffin	Elizabeth Rodriguez	Charles Williams
William Chipman	Erica Niezgoda	Michael Isaacs	Thomas McGonigle	Bruce Rogers	David Williams
Beth Christman	Finnegan	Jennifer Jauffret	Michael McGroerty	Susan Rowley	Gregory Williams
Joseph Cicero	James Flynn	Tanya Jefferis	Matthew McGuire	Helena Rychlicki	Evan Williford
Maggie Clausell	Matthew Fogg	Cathy Jenkins	Megan McIntyre	Anthony Saccullo	Wendy Wojewodzki
Martha Claverie	Kristen Foley	David Jenkins	John McLaughlin, Jr.	Kathryn Sallie	Natalie Wolf
Miranda Clifton	Edward Fornias, III	Kathleen Jennings-Hostetter	James McMillan	Tamara Sampson	Christian Wright
C. Malcolm Cochran, IV	James Freebery	Clay Jester	Carolyn McNeice	Yvonne Saville	Davis Wright
Brian Colborn	David Gagne	Ann Marie Johnson	Bruce McNew	Gilbert Saydah	Laura Yiengst
Cynthia L. Collins	Patricia Gallagher	Richard I. G. Jones, Jr.	Joseph Melican	Christine Schiltz	Jessica Zeldin
Cynthia S. Collins	Deborah Galonsky	Dawn Jones	Jennifer Mensinger	Todd Schiltz	Jennifer Zelvin
P. Clarkson Collins	Geoffrey Gamble	Judy Jones	Ellen Meyer	Lisa Schmidt	Virginia Zrake
Patrick Collins	Kimberly Gattuso	Elizabeth Julian	Dawn Miello	Jack Schreppler	
Bernard Conaway	Frances Gauthier		Beth Miller		

OCA Pro Bono Attorney 5 Year Awards

Fiscal Year 2006 marked the 5 year anniversary of the Office of the Child Advocate's (OCA) first volunteer attorneys. As of June 30, 2006, 26 attorneys had devoted 5 years of service to Delaware's children through the Office of the Child Advocate. To recognize these individuals for their service, OCA had their names inscribed on the Attorney 5 Year Award plaque, which is displayed in the Wilmington office, presented them with a commemorative desk ornament to thank them for their hard work, and featured most of them on its website. These dedicated attorneys have devoted countless hours to their child clients and OCA is eternally grateful to them.

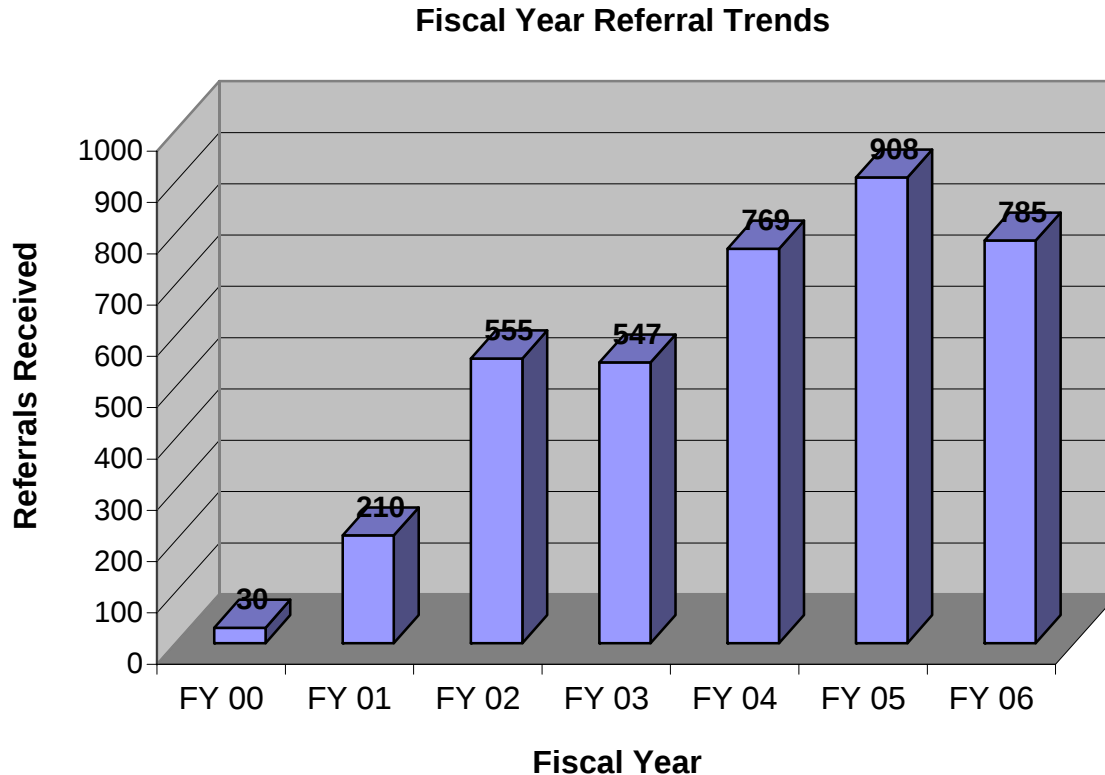
Shakuntla Bhaya, Esquire (September 2000 – September 2005)
Mary Boudart, Esquire (January 2001 – January 2006)
Curtis Bounds, Esquire (January 2001 – January 2006)
Gary Bryde, Esquire (May 2001 – May 2006)
The Honorable Alan Cooper (March 2001 – December 2005)
David Culley, Esquire (March 2001 – March 2006)
Sandra Dean, Esquire (April 2001 – April 2006)
Christine Demsey, Esquire (February 2001 – February 2006)
Shawn Dougherty, Esquire (April 2001 – April 2006)
David Gagne, Esquire (May 2001 – May 2006)
Timothy Hitchings, Esquire (January 2001 – January 2006)
Janine Howard, Esquire (January 2001 – January 2006)
Michael Isaacs, Esquire (May 2001 – May 2006)
Ann Marie Johnson, Esquire (January 2001 – January 2006)
Judy Jones, Esquire (May 2001 – May 2006)
Gretchen Knight, Esquire (May 2001 – May 2006)
Kathryn Laffey, Esquire (January 2001 – January 2006)
Norman Levine, Esquire (April 2001 – April 2006)
Susan List, Esquire (March 2001 – March 2006)
Bernard McFadden, Esquire (March 2001 – March 2006)
Carolyn McNeice, Esquire (May 2001 – May 2006)
Tiffany Poole, Esquire (June 2001 – June 2006)
Vivian Rapposelli, Esquire (June 2001 – June 2006)
Joseph Rhoades, Esquire (May 2001 – May 2006)
Suzanne Seubert, Esquire (February 2001 – February 2006)
Thomas Shellenberger, Esquire (November 2000 – November 2005)

Where We Are Making a Difference for Delaware's Children

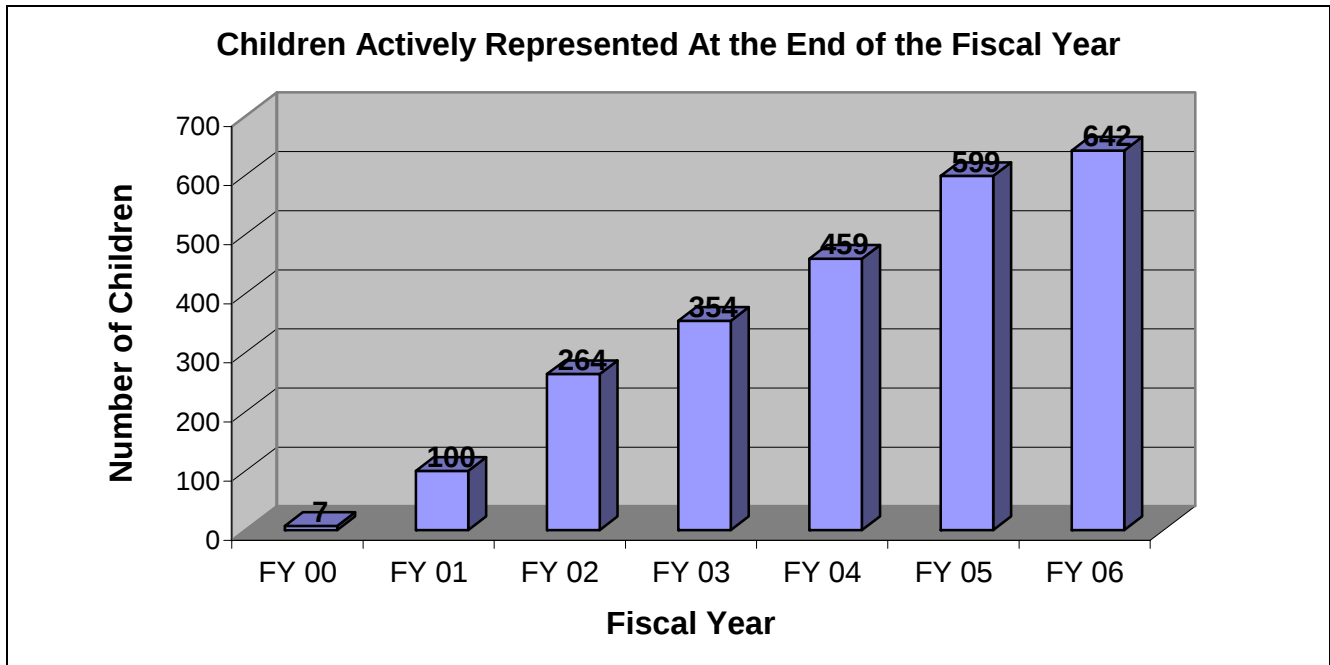
Legal Representation of Children

The Office of the Child Advocate (OCA or the Office) takes its responsibility to represent children seriously. The Office continually reviews and adjusts internal policies and procedures to meet new challenges. Since beginning operation in February of 2000, OCA has experienced tremendous growth. In Fiscal Year 2006, OCA was fortunate to add another Deputy Child Advocate downstate to begin to address the unmet legal needs of foster children in Kent and Sussex Counties.

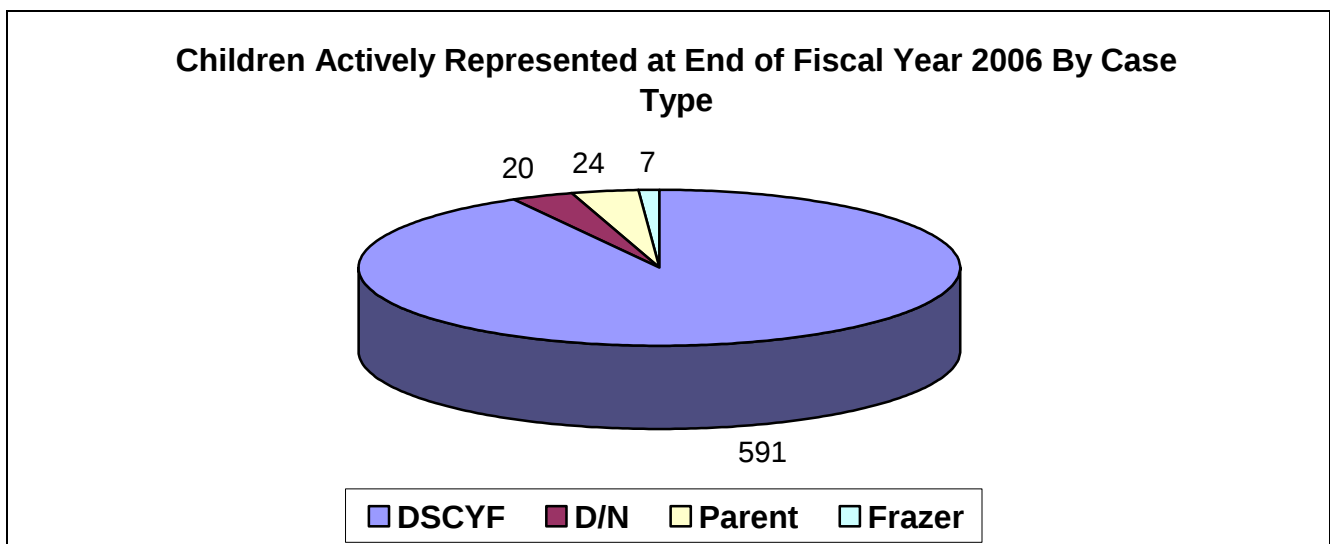
During Fiscal Year 2006 (FY06), OCA received referrals on 785 children. Seven hundred seventy-four of those referrals were deemed appropriate in that they involved a dependent, abused or neglected child or a child at risk thereof and there was no current representation of that child's best interests. Accordingly, OCA staff spent 1,279 hours reviewing cases and processing those referrals.



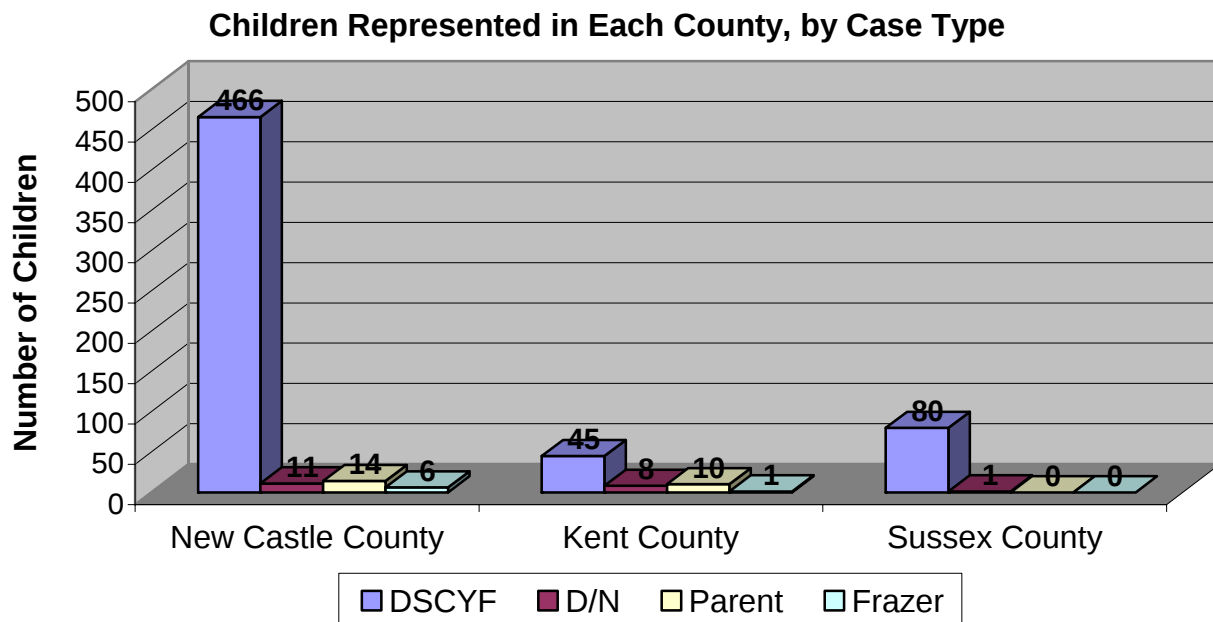
Of the 785 referrals received and reviewed, OCA appointed attorneys to 424 children. The majority of these new appointments went to children within the foster care system – 395 children under the care and custody of the Department of Services for Children, Youth and Their Families (the Children’s Department or DSCYF). This number does not include open cases carried through from previous years and therefore is not a complete reflection of the volume of cases active with OCA. By way of example, at the end of Fiscal Year 2006 OCA was actively representing 642 children, a 7% increase over Fiscal Year 2005, as depicted below. During the course of the year, OCA represented a total of 1,023 children, a 15% increase over Fiscal Year 2005.



Of the 642 children actively represented by OCA on June 30, 2006, 591 (92%) were in the custody of the Children’s Department. Twenty children were the subject of dependency/neglect proceedings within the Family Court that did not directly involve DSCYF. OCA also provided representation to 24 children who were the subject of parent custody disputes. Finally, OCA continued to track Frazer counsel appointments for 7 children.

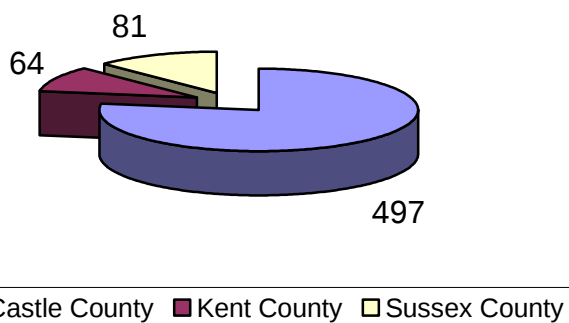


Reviewing OCA's June 30, 2006 caseload by county, the largest concentration of OCA cases continues to be in New Castle County. OCA represented 497 children in New Castle County as of June 30, 2006, compared to 64 in Kent County and 81 in Sussex County. Of those 497 New Castle County children, 466 were in DSCYF custody, 11 were the subject of dependency/neglect petitions, 14 were the subject of parent custody disputes and 6 were appointed Frazer counsel. In Kent County, OCA represented 45 children in DSCYF custody, 8 in dependency/neglect matters, 10 in parent custody matters and 1 with a Frazer appointment. In Sussex County, OCA represented 80 children in DSCYF custody and 1 who was the subject of a dependency/neglect petition.



OCA's Fiscal Year 2006 end-of-year caseload shows a distribution of cases by county as follows – 77% of its cases were in New Castle County, 13% in Sussex County and 10% in Kent County. On June 30, 2006, 145 downstate cases were open. OCA was handling 41% of those

Representation by County

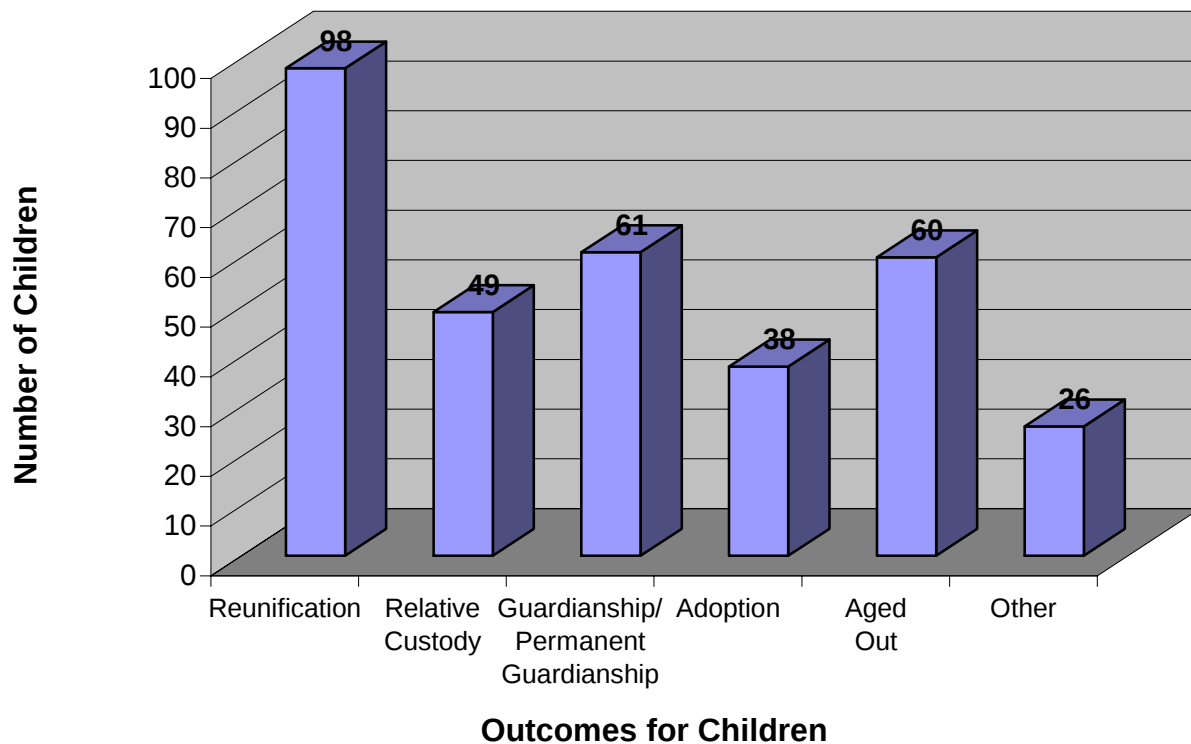


cases in-house, a reflection of the shortage of downstate volunteer resources. The addition of a Sussex County Deputy Child Advocate in FY06 has resulted in representation of an additional 34 children – a 31% increase over FY05. In New Castle County, where volunteer resources are more plentiful, only 8% of the cases were handled in-house. OCA staff devoted 4,742 hours to representing children statewide in-house, and another 1,140 hours supporting volunteer attorneys. An additional 736 hours were donated by OCA interns and law clerks providing support to the OCA *pro bono* program.

At the end of Fiscal Year 2006, there were 480 children referred to OCA who were not assigned OCA legal representation. This number includes 132 cases that were still pending disposition by OCA as of June 30, 2006, and 7 cases that were placed on OCA's waiting list. OCA closed the remaining 341 cases for the following reasons – 73 children received representation through the Court Appointed Special Advocate (CASA) program, 72 cases were closed due to low resources, and 196 referrals had no pending litigation, were resolved in court during the OCA disposition phase, or, upon further review, had no apparent dependency, neglect or abuse issues.

In Fiscal Year 2006, OCA closed 401 cases to which an attorney guardian *ad litem* had been assigned. OCA closed 4 cases where a Frazer attorney had been assigned, 33 cases that were the subject of parent custody disputes, and 32 cases that were the subject of dependency/neglect matters. The remaining 332 cases involved children in the custody of DSCYF. These 332 DSCYF cases were closed with a variety of outcomes. Ninety-eight children (30%) were reunified with their parents. Another 49 children (15%) were placed in the custody of relatives. Guardianship or permanent guardianship was granted for 61 children (18%), and 38 children (11%) were successfully adopted. Sixty children (18%) turned 18 years old and aged out of the foster care system. An additional 26 cases were closed for other reasons.

Children in Foster Care - Outcomes of DSCYF Closed Cases - FY 2006



Training and Education

Pro Bono Recruitment and Training

During Fiscal Year 2006, OCA continued its *pro bono* recruiting efforts through its semi-annual mailings to every member of the Delaware Bar. OCA staff also appeared at various Delaware Bar Association functions in an effort to recruit new volunteers. In Fiscal Year 2006, OCA held 12 Nuts and Bolts trainings throughout the state to prepare volunteer attorneys to represent Delaware's children. These trainings were two hours long and covered such topics as the child protection system, the court process, the internal workings of OCA and ethical issues relating to the representation of children. OCA spent 43 hours coordinating and conducting these trainings. With the ongoing support of a number of law firms throughout the state, OCA was able to continue to attract attorneys to represent abused, neglected and dependent children. As of June 30, 2006, OCA had 381 volunteer attorneys on its roster, with approximately 350 of those attorneys actively representing children.

The Nuts & Bolts trainings conducted during FY06 included:

July 12, 2005	hosted by Curley & Rodriguez (Dover)
September 16, 2005	hosted by Richards Layton & Finger, P.A. (Wilmington)
October 14, 2005	hosted by Parkowski Guerke & Swayze P.A. (Dover)
November 2, 2005	hosted by Morris James Hitchens & Williams, LLP (Wilmington)
December 14, 2005	hosted by Hudson Jones Jaywork & Fisher (Wilmington)
January 12, 2006	hosted by Young Conaway Stargatt & Taylor, LLP (Wilmington)
February 8, 2006	hosted by Office of the Child Advocate (Wilmington)
March 28, 2006	hosted by Young Conaway Stargatt & Taylor, LLP (Wilmington)
April 13, 2006	hosted by The Law Office of Edward Gill (Georgetown)
May 16, 2006	hosted by Morris Nichols Arsht & Tunnell, LLP (Wilmington)
June 8, 2006	hosted by Curley & Rodriguez (Dover)
June 23, 2006	hosted by Richards Layton & Finger, P.A. (Wilmington)

In addition to Nuts and Bolts trainings, OCA continued its offering of Brown Bag Lunch Trainings for volunteers. Bringing in experts from a variety of fields, OCA has developed a training curriculum to continue educating volunteer attorneys in specialized areas. OCA's agency and community partners have been instrumental in making this training program a success by providing regular speakers to educate volunteers about the child protection system. The volunteer attorneys received one hour of Continuing Legal Education credit for each training they attended. The trainings were held in the OCA Wilmington Office with video conferencing downstate as needed.

Below is a list of the Brown Bag Trainings held in Fiscal Year 2006:

September 27, 2005	Physical Abuse of Children – What to Know and What to Look For
October 18, 2005	Communicating with Your Teenaged Client
November 29, 2005	Legal Alternatives for Permanency
December 6, 2005	Understanding the DFS System
January 10, 2006	Representing Your Teenaged Client in Foster Care
February 7, 2006	Placement Alternatives for Our Difficult Youth

OCA Staff Training Events:

Pursuant to 29 Del. C. § 9005A(9), OCA is mandated to provide and participate in training for the child protection community. In furtherance of its mandate, in addition to the 43 hours spent training volunteer attorneys, OCA spent 518 more hours in Fiscal Year 2006 participating in and/or conducting training and/or educational forums.

The Abuse Intervention Committee's Training Consortium's Workshop on the "Cost of Caring"	Attendees
American Bar Association's Equal Justice Conference	Presenter
American Prosecutors Research Institute's Finding Words Forensic Interviewing Training	Sponsors/Presenter/Attendees
Child Death, Near Death and Stillbirth Commission's Statewide Processes Training	Attendees
Child Protection Accountability Commission's Conference on Education and Child Welfare: Building Partnerships for Delaware's At-Risk Children	Sponsors/Presenter/Attendees
Coordination of Child Death Review and Citizen Review Panels – Maximizing Opportunities to Prevent Fatal and Near Fatal Abuse	Attendees
Delaware Girls Initiative Trainings	Attendees
Delaware Law Day	Presenter
Delaware State Bar Association's Women and the Law Retreat	Attendees
Department of Services for Children Youth & Their Families System of Care Training	Attendees
Division of Child Mental Health Services' Cumulative Trauma Training	Attendees
Division of Child Mental Health Services' Training on Conduct Disorder: Multimodal Assessment and Treatment of Child Antisocial Behavior	Attendees
Division of Family Services' Core Legal Training	Presenter
Division of Family Services' Refresher Training # 4: Dynamics of Child Sexual Abuse	Attendees
Family Court Statewide Juvenile Justice Conference	Attendees
Prevent Child Abuse Delaware's Annual Conference: Building Safe Communities: Preventing Child Sexual Abuse	Attendees
Risk Assessment and Stages of Change	Attendees
Training Attorneys to Handle Dependency/Neglect Cases in Family Court	Presenter

Community Involvement, Outreach and Publicity

In FY06, OCA spent 70 hours increasing awareness of the Office and its services. The following is a list of community activities in which OCA staff participated:

September 2005	University of Delaware Internship Expo
January 24, 2006	Delaware State Bar Association's State Bar Night
February 2006	Brandywine School District In-Service: Understanding the Office of the Child Advocate – OCA Presentation
February 3, 2006	Public Interest/Public Service Career Fair
February 15, 2006	Villanova University Law School On-Campus Interviewing Program
April 2006	Child Abuse Prevention Month Legislative Resolution – Annual Joint Effort between Office of the Child Advocate, Prevent Child Abuse Delaware, and Grassroots Citizens for Children
April 11, 2006	Pro Bono Inn of Court – OCA Presentation
May 2006	Finding Words Course Review
June 9, 2006	Delaware State Bar Association Bench and Bar Conference

Website

The website covers information on how to make a referral to OCA and how those referrals are processed; who the OCA staff are; significant court cases or legislation affecting children; monthly statistical updates on OCA's representation of children; upcoming local and national trainings; and information for volunteer attorneys, such as the Pro Bono Training Manual. There is also a page regarding the Child Protection Accountability Commission with meeting dates and times, minutes, and CPAC near death reports. The OCA website is: <http://courts.delaware.gov/chiladvocate>.

Legislative Advocacy

In compliance with its statutory duties, OCA both drafts legislation and advocates for its passage. Legislative initiatives come from the individual representation of child clients, the Child Protection Accountability Commission, various child protection committees, and discussions with child protection partners. Often, OCA is the agency which drafts the legislation and assists in getting the bills introduced and passed. In Fiscal Year 2006, OCA spent more than 50 hours reviewing legislation. OCA also spent 1,163 hours supporting the activities of the Child Protection Accountability Commission, many of which were legislative in nature.

Committee and Taskforce Participation:

OCA spent 252 hours in FY06 attending meetings pertaining to children. Those hours do not include participation in activities directly related to the Child Protection Accountability Commission or the Child Death, Near Death and Stillbirth Commission (CDNDSC). OCA spent 1,163 hours staffing and participating in the various subcommittees of CPAC. OCA spent an additional 429 hours participating in activities related to the CDNDSC. Additionally, OCA spent 1,274 hours effectuating the inner workings of the Office. Representatives of OCA are members of and/or participate on the following boards, organizations, commissions, committees, task forces, councils and subcommittees:

Abuse Intervention Committee (AIC)

- *Finding Words Planning Committee*
- *Finding Words Faculty*
- *Medical Subcommittee*
- *Memorandum of Understanding between Division of Family Services (DFS), Department of Justice (DOJ), Law Enforcement and the Children's Advocacy Center Subcommittee*
- *Strategic Planning Subcommittee*
- *Training Consortium (now merged with CPAC training subcommittee)*

Child Death, Near Death, Still Birth Commission (CDNDSC)

- *Executive Committee*
- *Abuse/Neglect Panel*
- *Kent/Sussex Panel*
- *New Castle County Panel*
- *Process Subcommittee*

Child Protection Accountability Commission (CPAC)

- *ASFA Timelines Subcommittee*
- *Custody Subcommittee*
- *Definitions Subcommittee*
- *Educational Needs of Foster Children Subcommittee*
- *Extended Jurisdiction Subcommittee*
- *Foster Care Subcommittee*
- *Legislative Subcommittee*
- *Mental Health Assessments Subcommittee*
- *Near Death Subcommittee*
- *Staff to the Commission*
- *Training Subcommittee*

Children's Advocacy Center (CAC)

- *Hiring Committee*
- *Member of the Corporation*

Court Improvement Project (CIP)

- *Kent County*
- *Sussex County*
- *New Castle County*

Delaware Early Care and Education Council**Delaware Emergency Management Association (DEMA)**

- *Unattended Minors Taskforce*

Delaware Girls Initiative (DGI)

- *Executive Committee*
- *Unveiling Subcommittee*

Delaware State Bar Association (DSBA)

- *Family Law Section*
- *LIP Committee*
- *Professional Ethics Committee*
- *Women and the Law Section*

Domestic Violence Coordinating Council (DVCC)

- *Children and Domestic Violence Work group*

Department of Services for Children, Youth, and Their Families (DSCYF)

- *DFS Advisory and Advocacy Council*
- *DFS Office of Child Care Licensing Rule Revision Task Force*
- *DFS Independent Living Advisory Board*

Domestic Violence Taskforce**Interagency Committee on Adoption (IACOA)****Kent County Bar Association (Vice President)****Melson Arsht Inns of Court****Sussex County Bar Association****Terry Carey Inns of Court**

DFS Policy and Procedure/Multi-Disciplinary Collaboration

OCA is mandated, pursuant to 29 Del. C. § 9005A(2), to periodically review and revise all relevant child welfare policies and procedures with a view toward expanding the rights of children. The Office of the Child Advocate is also to recommend changes in procedures for investigating and overseeing the welfare of children. 29 Del. C. § 9005A(4). In Fiscal Year 2006, OCA spent 252 hours in meetings and 276 hours working on policy issues with various child welfare partners. OCA spent an additional 1,163 hours staffing the Child Protection Accountability Commission which focuses on the effectiveness of the entire child protection system.

During Fiscal Year 2006, most of OCA's policy work was done in conjunction with the mission and statutory mandates of the Child Protection Accountability Commission. However, in order to organize and quantify the numerous recommendations made in Delaware from the death and near death reviews of child abuse and neglect cases, OCA developed the "Compilation of Delaware's Child Protection Issues and Recommendations from Child Abuse/Neglect Death and Near Death Case Reviews." This document lists every public recommendation that was derived from a child death or near death due to abuse and/or neglect, from March 17, 1997 to May 5, 2006. The policy concerns are divided into sixteen categories based upon CPAC's statutory mandate. The document has been shared with and distributed to members of the Child Protection Accountability Commission and the Child Death Near Death and Stillbirth Commission as a discussion tool for the joint Commission meetings. The document has also been used as a resource by several CPAC and CDNDSC subcommittees as well as by the Abuse Intervention Committee and the Domestic Violence Coordinating Council. The document is available in the Publications section of the OCA website, and will be utilized as the framework for OCA's policy database that will be designed and implemented in Fiscal Year 2007.

Quarterly, DFS and OCA meet to improve multi-disciplinary collaboration. Topics in those meetings have included caseloads, improved coordination between OCA and DFS, case concerns, training and system successes and challenges.

During Fiscal Year 2006, DFS, OCA and the Court Appointed Special Advocate (CASA) Program worked diligently to build a joint database to track children in the legal custody of DFS in order to ascertain the number of children who continue to be unrepresented in DFS legal custody proceedings. The cooperation and collaboration between the agencies resulted in a comprehensive database that indicates the number of children in DFS legal custody, the counties they are in, the

agency representing the children (or the lack of representation) and the Deputy Attorneys General and Judges assigned to their cases. The database should be fully operational by the Fall of 2006 and should regularly generate statistics thereafter. These statistics will enable all partners to more fully understand their workloads and to enable DFS, OCA and CASA to formulate strategies for ensuring all children receive legal representation.

OCA and the Educational Surrogate Parent Program (ESPP) also forged a relationship in Fiscal Year 2006, agreeing to the exchange of information which will better ensure timely, seamless educational representation for children in the legal custody of DFS. On a monthly basis, data is now exchanged advising ESPP of the legal representative for each child in the program as well as enabling OCA to track the number of children in DFS legal custody receiving ESPP services.

Grants and Bequests

The Office of the Child Advocate has a legal mandate to “apply for and accept grants, gifts, and bequests of funds from other states, federal, and inter-state agencies, as well as from private firms, individuals, and foundations, for the purpose of carrying out the Commission’s lawful responsibilities.” 29 Del. C. § 9005A(6). OCA spent 4 hours on grant research in Fiscal Year 2006. The Office of the Child Advocate continues to research and seek out grants related to *pro bono* services for children and resources for the Child Protection Accountability Commission. OCA has much difficulty in acquiring grants for its program, as the few grants that are available are limited to non-profit organizations. As such, during FY06 OCA was unsuccessful in acquiring any new grants, but OCA continues to collaborate with the American Bar Association’s Pro Bono Custody Project in hopes of securing a future grant.

Although the Office of the Child Advocate did not receive any grants in FY06, monetary and gift donations were made to the Office to benefit the children OCA serves. Primarily, such donations were made during the holiday season to provide gifts to OCA’s abused and neglected child clients. The Eastpoint Community Church, along with the Melson-Arsht, Pro Bono, and Richard S. Rodney Inns of Court and the law firm of Fish & Richardson, provided new toys, clothes and other items, as well as monetary contributions and gift cards, and OCA invited its volunteer attorneys to “shop” for holiday gifts for their clients from those donations. In addition, the Christiana Rotary Club adopted about 20 of OCA’s most needy children and their families, generously providing them with gifts and necessities beyond the traditional holiday gift. The Office of the Child Advocate was truly amazed at the generous giving of these organizations and other individuals who gave donations in the spirit of the holidays.

The Office of the Child Advocate was also instrumental in securing funds from law firms, individual attorneys, DSCYF employees, and others to help pay for the expenses of a terminally ill OCA client. Many generous contributions were made to help make this teenager’s last days comfortable and memorable.

In Fiscal Year 2006, the Office set up a donations account into which monetary gifts can be deposited and then used throughout the year to benefit the children OCA serves. These monies may be used for any needs that arise, but are especially valuable in helping these children enjoy the life experiences that other children enjoy, such as prom and graduation, school pictures and yearbooks, summer camps, theater, music, and adventure parks.

