

American Bar Association
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Dear Editor:

For your consideration, please find the following op-ed prepared by American Bar Association President Karen J. Mathis.

For more information or for confirmation, contact Patty Gaul at 202/662-1094 or e-mail gaulp@staff.abanet.org.

Safety, Permanency and Well-Being for All of Our Children

Opinion Editorial by American Bar Association President Karen J. Mathis

Place yourself in the shoes of a girl with cerebral palsy, who has already lived in four foster homes and a group home. While in the legal care and custody of the state -- meaning, she's become the child of *us all* -- she struggles to overcome a history of sexual abuse and depression. Recently, she has faced physical abuse within her latest foster home.

Try on another role as a member of a couple that, because of their love of kids, takes in foster children after their own kids have "left the nest." The couple faces trying to help a boy -- separated from his siblings for the first time -- deal with serious health issues and educational deficits. Meanwhile, the boy is fearful of his new mother. These are just two examples of the types of challenges faced by foster children and their caregivers.

May is National Foster Care Month. It's a time when we are reminded to examine the adequacy of laws, policies and governmental financial support for foster children, foster parents and relative caretakers. Shouldn't each have their own independent rights, legal protections and voice in the proceedings that affect them?

Over 800,000 children pass through the foster care system annually; more than a half-million are in it now. The girl described had a court-appointed attorney but didn't know how to contact him; he really didn't know her. She had no idea what, if any, her legal rights were, including help she might be entitled to as she approaches the age of independence. If there were court hearings on her "case" she was unaware of them.

During my year as president of the American Bar Association, we are focusing on what lawyers can and should be doing to better assist youth at risk. Many 13-19-year olds stand on the edge of a precipice, with serious problems placing them at high risk of entering our juvenile and criminal justice systems. Among the most vulnerable: those who have experienced violence and severe neglect at home. Ideally, we'd like to see their families rehabilitated and children remain safely with loving parents. But if that can't be done, we need a government-supported foster care and relative-based "kinship care" system we'd want available if necessary for our own children one that addresses the safety, permanency and well-being of every child.

At the federal and state level we must ensure adequate resources to avoid unnecessary removal of children from their families through greater access to effective parenting enhancement services. We must assure the voice of each youth in the care of government agencies is effectively heard in their court proceedings, with the aid of competent counsel. As foster youth approach maturity, we must provide services they need to make a successful transition to adulthood. No foster youth should ever emancipate from care into homelessness, fail to

complete high school or be left without some positive adult connection in their life. We wouldn't want or allow that to happen to our own child.

We're taking additional steps. In August, the ABA's Commission on Youth at Risk will be giving the association's policy-making body a set of proposed law, court and child welfare practice reforms intended to promote far greater support and services for youth who "age out" of foster care, as more than 20,000 do each year.

Unfortunately, many of us only think about foster care if it affects a child we know, or when we read about a death or severe injury of a child in the system. It's time we made foster care improvement a priority -- not just this month, but every month.

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