



EVERYCHILD
FOUNDATION

Proposal Snapshot

Project: Everychild Integrated Educational and Legal Advocacy Project

Agency: Center for Juvenile Law & Policy, Loyola Law School

Executive Summary

The Center for Juvenile Law & Policy (CJLP), Loyola Law School is seeking \$1MM (60% of project total) in program support over a three-year period (2018-20) to launch the **Everychild Integrated Educational and Legal Advocacy Project (EIELAP)** to help stop the school-to-prison pipeline for crossover youth, foster youth who are also involved with the juvenile justice system. The EIELAP will advocate for clients in the education and court systems, while addressing the often-treatable root causes of delinquency, and creating a model for systemic change. CJLP provides integrated pro bono advocacy for juveniles in delinquency court. This program will expand those services to include integrated legal and educational representation for crossover youth, who are more likely to fail in school and fall into extreme poverty.

Each EIELAP client will have a legal team including a juvenile-justice lawyer, an education lawyer, and a social worker. An education attorney and law student will aggressively advocate for the youth's education and disability rights, in tandem with a juvenile justice attorney and law student who will defend the youth in delinquency court. The social worker will assess the client, provide resource recommendations and oversee case management services. This project will also train 1500 child advocates on education law, delinquency and disability issues. To help parents, dependency court lawyers and other advocates, EIELAP will consult and provide intake at the Edelman Children's Court each week. Additional goals of the project are: to secure successful outcomes for 90% of the clients served based on their identified needs, train 36 lawyers, and push for systemic reform and a replicable system standard of integrated advocacy.

Capital or Program

This is a program request, with Everychild funds paying for the salaries of key staff, including one attorney, one social worker, one project director and other related costs.

Children/Youth Served

The EIELAP anticipates serving 300 unduplicated foster and crossover youth. Fewer than 50% of foster youth and only 33% of juvenile offenders graduate high school. This program will give crossover children a fighting chance at graduating high school and becoming healthy, productive members of society.

I. AGENCY INFORMATION

The Center for Juvenile Law and Policy (CJLP) was founded in 2004 at Loyola Law School to tackle the injustices of the Los Angeles County juvenile court system, injustices rooted in inadequate funding, racial discrimination, a failing social-welfare system, and a culture of over-incarceration. Since then, **the Center's three legal clinics have provided over 525 indigent children with free, holistic legal services while also training the next generation of top quality child advocates with the skills and tools they need to meet the complex psychological, social, and educational needs of at-risk youth.** In *the Juvenile Justice Clinic*, students and faculty mount a zealous defense in delinquency court that starts with the first client meeting and lasts until the child achieves majority. Alongside their legal attorneys, the Center's social workers provide mental health evaluations for all clients, craft treatment plans, design innovative dispositions (sentencing) alternatives for the courts, and, with the legal team, monitor progress after dispositions. The *Youth Justice Education Clinic* stops the school-to-prison pipeline by advocating for the educational needs of at-risk students in state-level administrative law hearings and/or federal or state court by securing their access to Regional Center services, and by assuring the fair implementation of their education rights. And, finally, the *Juvenile Innocence and Fair Sentencing Clinic* represents juveniles who were wrongfully convicted or sentenced to unconscionably long prison terms, in violation of the Eighth Amendment of the U.S. Constitution. Since its inception, the CJLP has grown to five faculty and six staff, trained over 250 new attorneys, and dedicated over 78,000 pro bono hours to more than 500 children in over 1,000 delinquency cases in East and South L.A.'s neediest and most diverse communities: Inglewood, Compton, and the San Gabriel Valley.

In all three clinics, students work with faculty and a social worker in a legal defense team that addresses all the factors potentially contributing to "delinquent behavior," such as mental health issues, learning disabilities, homelessness, drug abuse, domestic violence, and inadequate foster-care placement. Often this team provides the only consistent, coherent and coordinated advocacy available to this diverse group of children who are faced with a host of challenges to their success: high poverty rates (71% of the school-age children in these three communities receive reduced-cost or free lunches; \$46,000 is the average of their median household incomes), low parent college attendance (averaging at 18%), and learning English as a second language (30%). These children are among Los Angeles County's neediest and yet, as "delinquents," the least likely to receive philanthropic assistance. In spite of being victims of violence themselves and suffering from high levels of trauma, without advocacy these young people are abandoned to public schools that operate like penal institutions and to a punitive court system that shirks its moral obligation to offer meaningful opportunities for rehabilitation. **Consequently, children involved with the juvenile justice system have low rates of educational attainment and high rates of learning disabilities, substance abuse, and mental health issues, which, untreated, have led to recidivism rates approaching 70%.** The disproportionate representation of minority children in the system, accompanied by abysmal recidivism rates, translates into immeasurable economic, social, and moral costs for Los Angeles communities. The CJLP tackles these problems with comprehensive, integrated and holistic representation of at-risk youth, which is more effective than the fragmented approaches provided by the county.

II. PROJECT DESCRIPTION

A. Summary: With an Everychild Foundation grant, the CJLP will create the **Everychild Integrated Education & Legal Advocacy Project (EIELAP)**, a specialized program that over 3 years will provide **collaborative, integrated delinquency, educational, and disability advocacy to 300 Los Angeles children involved in both the child welfare (dependency) and delinquency court systems (“crossover children”) while training 36 law students in cutting-edge juvenile legal representation.** The EIELAP will represent crossover youth *holistically* with a collaborative legal team comprised of an education attorney, a juvenile-justice attorney, a social worker, and certified law students. The EIELAP will also establish a reliable presence in Edelman Children’s Court and LA’s delinquency courts that, in addition to modeling best practices for others, will provide consultation sessions to educate 1200 parents and dependency advocates on navigating the entanglement of education, disability, and delinquency issues; bi-monthly workshops will more formally train 1500 advocates yearly. Finally, the EIELAP will hold a symposium in which the outcome statistics for the project’s clients will be disseminated and discussed with an audience of advocates, policymakers, and system stakeholders, with the goal of inspiring and implementing broader systemic changes in advocacy for crossover children.

B. Critical Unmet Need: This project serves Los Angeles County’s “crossover children” -- foster children who have “crossed over” from the child welfare system to involvement in the juvenile justice system -- which, owing to their exposure to abuse or maltreatment, is twice as likely to happen to them as it is for the general youth population. Moreover, when foster youth are arrested for delinquent acts, they are more likely than other youth to be detained, adjudicated, and incarcerated despite their offenses being no more serious, and they are more likely to have complex service needs (such as mental health issues and learning disabilities). Compared to youth involved in only one court system, **youth involved in both delinquency and dependency courts are more likely to fall into extreme poverty than their single-system cohorts and less likely to attain adult educational achievements.** Currently, there are approximately 40,000 young people in the California juvenile justice system, and, while there is disagreement as to exactly how many of them have or have had involvement with the child welfare system, studies estimate the percentage to be anywhere from 18% to 50%. Thus, we can surmise that anywhere from 7,200 to 20,000 children in the juvenile justice system are crossover children with the odds for success stacked against them.

There is a new §241.1 “crossover court” in LA County, but no single court has the adequate resources or dedicated holistic focus for replicating the EIELAP’s integrated advocacy. To appreciate the impact of the EIELAP model, consider the example of Anna M., a 13-year-old foster child charged with felony assault for fighting at school. Without EIELAP, Anna would not have received adequate defense counsel in juvenile court, would have admitted to the charge, and would then have been placed on formal probation. Formal probation would have led to unsuitable placement in a group foster home among other, older children in the delinquency system, increasing the likelihood of further conflict, resulting in Anna’s violating probation, getting rearrested, detained, charged, resentenced, and sent to a different group home, where the cycle would begin again. At 18, Anna would possess a serious record, no high school diploma, and no support system. Her susceptibility to poverty, homelessness, re-arrest, and eventually even prison would have been vastly increased. Now consider the case of Anna with EIELAP.

C. Description of Project

1. Activities to be Undertaken (concurrently):

- **EIELAP Juvenile Justice Attorney represents clients in juvenile delinquency court.** In Anna’s case, she is identified by EIELAP as an eligible client (whether through court appointment or community referrals). Her first arrest therefore results in her EIELAP juvenile-justice attorneys appearing at arraignment, contesting the felony-status of the charge, and negotiating her disposition down to informal probation, a lighter sentence that allows her to remain in her current foster home.
- **EIELAP Social Worker screens clients for mental-health issues, substance abuse problems, post-traumatic stress, and learning disabilities.** For Anna, this screening results in a “big picture” of her situation whereby the relationship between causes and effects can be determined holistically.
- **EIELAP Education Attorney fights for clients’ education rights.** Anna is interviewed by her EIELAP education attorneys, who discover that she frequently misses school and gets disciplined for disruptive behavior—flags for possible learning disabilities and mental-health issues. The EIELAP Social Worker determines that Anna likely has bipolar disorder and ADHD, which have been treated only sporadically and explain her poor school performance, mood swings, and disruptive behavior. The EIELAP team therefore requests a special-education assessment from the school district and a hearing for an Individualized Education Plan, both of which guarantee Anna appropriate services at school. She also receives treatment for her bipolar disorder through educationally related mental health services.
- **EIELAP Team supports and monitors clients until they turn 21 and, in special circumstances, 23.** The EIELAP team monitors Anna’s schooling, ensuring that her education rights are observed: that she is not illegally or inappropriately disciplined; that she is not forced to change schools; that all of her credits are transferred to her current school; and that her school records are not “lost” or misplaced. Anna continues to meet with the EIELAP social worker, and her juvenile-justice attorneys are a phone call away should she find herself in trouble. Anna graduates high school, becomes an EMT, and enrolls at Long Beach Community College.
- **EIELAP Team provides regular workshop trainings to stakeholders within the crossover system.** Stakeholders include social workers, defense attorneys, parents’ attorneys, minors’ attorneys, parents of dependent and delinquent youth, teachers, physicians, probation officers, and bench officers.
- **CJLP will host the Everychild Educational & Legal Advocacy Symposium.** At this symposium, EIELAP will disseminate its integrated representation model and findings to a statewide and national audience with the hope that crossover youth around California and the nation will be better served in the future.

2. How Will Grant Funds Be Used?

Funds will be used to hire 3 new positions: Project Director (Education Attorney), an Education Staff Attorney, and an EIELAP Social Worker. The Juvenile Justice Attorney, law students, and administrative support are already in place at the CJLP.

D. Goals and Objectives – What Will Be Achieved?

Following are EIELAP's Six Specific Goals:

- Provide 3 levels of integrated cutting-edge, best practices direct legal representation as needed to 100 unduplicated qualifying crossover children each year, for a total of 300, as follows: for 1/3 of clients, provide integrated, holistic legal and educational advocacy in every system until the child turns 21; for 1/3 of clients, provide intensive education advocacy as needed, coordinated with a child's already-existing advocates; and for 1/3 of clients, provide issue-specific consultation and advice as needed.
- Secure successful outcomes for 90% of the 300 clients served by the EIELAP, based on the identified needs of client at intake.
- Teach a bi-monthly informational workshop (with written materials) on education law, delinquency and disability-related issues to approximately 1500 child advocates (social workers, CASAs, foster family groups, dependency attorneys, and parents) over 3 years.
- Establish a weekly presence at Edelman Children's Court to provide consultation and intake to social workers, CASAs, foster family groups, judges, dependency attorneys, and parents. Approximately 1200 anticipated contacts over three years.
- Train 36 law students over three years in best-practices education advocacy for children.
- Upon completion of the project, host an EIELAP Symposium for child advocates, policymakers, and stakeholders that disseminates and invites feedback on the statistical analysis of project clients and outcomes, that formulates possible policy strategies for making integrated advocacy a replicable system standard, and that proposes immediate, practical tools for maximizing the benefits of integrated advocacy in the here and now.

E. Evaluation: Jorja Leap, Professor of Social Welfare at the UCLA Luskin School of Public Affairs and Director of the Health and Social Justice Partnership, has agreed to evaluate EIELAP outcomes and publish her assessment contemporaneous with the EIELAP symposium, thereby also generating interest and visibility for the event. She is offering her services *pro bono*.

F. Replication: In addition to providing direct services to 300 children, EIELAP aims to promulgate a model of advocacy that can be increasingly replicated by others. Each point of contact with judges, prosecutors, and educators incrementally raises the likelihood of our efforts being replicated by observers. Likewise, this project will train 36 law students to become models of this standard of advocacy, in turn educating others.

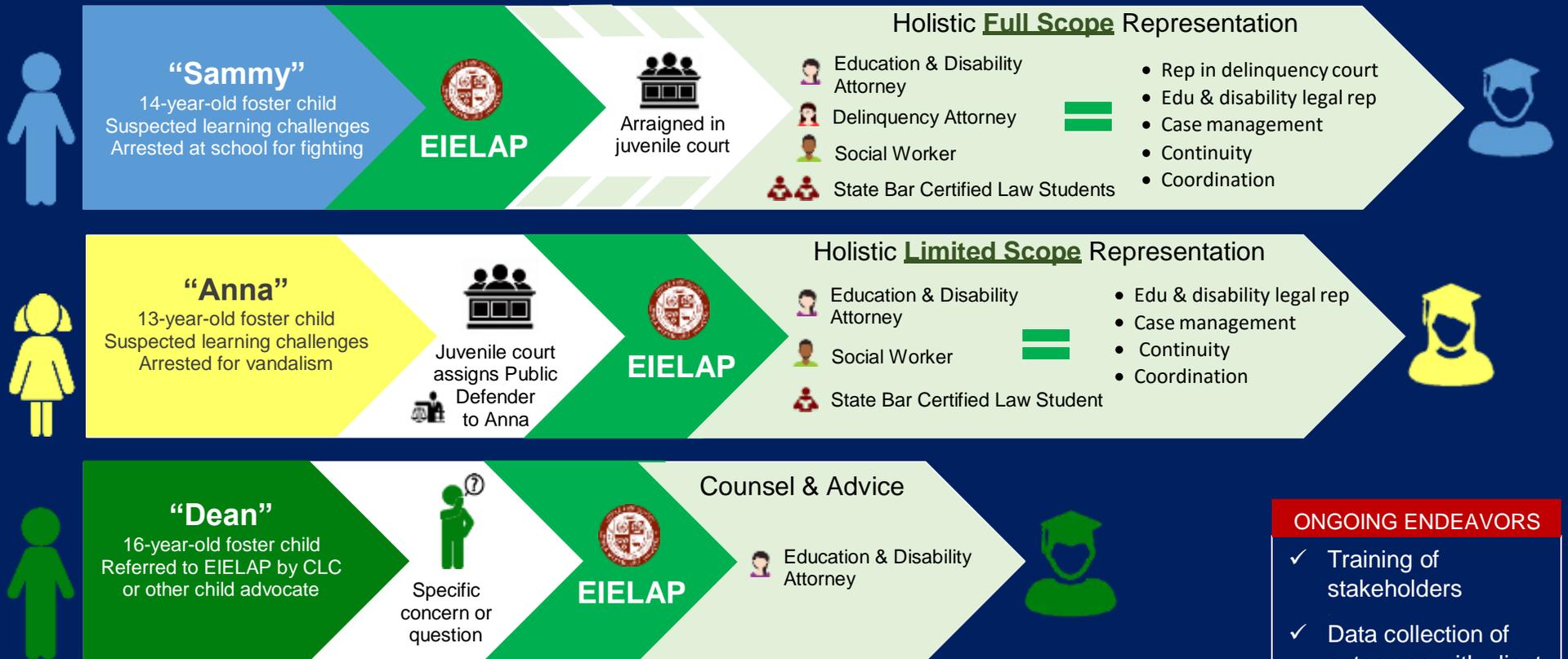
G. Recognition: The Everychild Foundation will be recognized in the new staff titles; a marketing campaign including a press release; prominent placement on the CJLP and Loyola Law School's donor walls at the \$1 million to \$4.9 million level; inclusion in the Loyola Marymount University and Loyola Law School honor roll of donors, foundations and partners; recognition on all printed materials for training sessions; and acknowledged sponsorship of the EIELAP Symposium.



THE EVERYCHILD INTEGRATED EDUCATION & LEGAL ADVOCACY PROJECT

- Establish**
A presence for outreach
- PROVIDE**
Cutting-edge, holistic representation
- TEACH**
Bi-monthly informational workshops
- TRAIN**
The next generation of child advocates
- HOST**
Symposia for broader, systemic implementation

How Does EIELAP Work with Crossover Youth?



Education & Disability Representation

- ✓ Ensure appropriate enrollment and placement
- ✓ Assess and secure eligibility & services for IEP (Special Ed), Section 504, and Regional Center
- ✓ Protect against discrimination & inappropriate removal from school placement

ONGOING ENDEAVORS

- ✓ Training of stakeholders
- ✓ Data collection of outcomes with client & stakeholder feedback
- ✓ Symposium