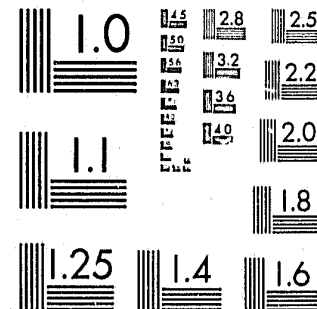


National Criminal Justice Reference Service

ncjrs

This microfiche was produced from documents received for inclusion in the NCJRS data base. Since NCJRS cannot exercise control over the physical condition of the documents submitted, the individual frame quality will vary. The resolution chart on this frame may be used to evaluate the document quality.



MICROCOPY RESOLUTION TEST CHART
NATIONAL BUREAU OF STANDARDS-1963-A

Microfilming procedures used to create this fiche comply with the standards set forth in 41CFR 101-11.504.

Points of view or opinions stated in this document are those of the author(s) and do not represent the official position or policies of the U. S. Department of Justice.

National Institute of Justice
United States Department of Justice
Washington, D. C. 20531

6/11/84

EVALUATION OF THE PHILADELPHIA
DEFENDER CHILD ADVOCACY UNIT

SUMMARY REPORT

CONTRACT 79 JN-AX-0032

M. Christine Kenty, PhD., Principal Investigator
Faris R. Kirkland, M.A., Project Director

Andrea G. Lange, M.S. Margaret A. Fetting, M.S.W.
Jerene Good, M.A. James R. Cocroft, M.A.

Conan N. Louis, M.S.

Advisors: Phyllis W. Beck, Esq., Carl E. Singley, Esq.

University City Science Center
3624 Market Street
Philadelphia, PA 19104

1981

92659

Table of Contents

	Page
PREFACE	1
OBJECTIVES	3
METHODOLOGY and DATA GATHERINE	3
FINDINGS	7
Context Evaluation	7
Literature Review	7
Interorganizational Relationships	10
Process Evaluation	15
Organization	15
Operations	20
Impact Evaluation	30
Time Series Analysis	32
Case Studies	34
Conclusions	51
RECOMMENDATIONS	55
BIBLIOGRAPHY	61

NCJRS

DEC 21 1983

ACQUISITIONS

92659

U.S. Department of Justice
National Institute of Justice

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by

Public Domain/ U. S.
Dept. of Justice/ NIJJD/ OJJDP

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

SUMMARY REPORT
EVALUATION OF THE PHILADELPHIA
DEFENDER CHILD ADVOCACY UNIT

PREFACE

In 1979-80, the University City Science Center conducted a comprehensive evaluation of the Philadelphia Defender Child Advocacy Unit (CAU) under contract to the Office of Juvenile Justice and Delinquency Prevention, United States Department of Justice (#79 JN-AX-0032). The Final Report of this evaluation is presented in three volumes: Volume I, Context Evaluation; Volume II, Process Evaluation, and Volume III, Impact Evaluation; this is a summary of those volumes. Evaluators used both qualitative and quantitative methods to tap a wide array of data sources.

The Defender Child Advocacy Unit is a semi-public agency which provides legal and social service representation to non-delinquent children in Philadelphia as required by the Pennsylvania Juvenile Act and the Child Protective Services Law. A full-time, paid staff of five attorneys and six social workers with support staff functions as a self-contained unit within the Defender Association to represent the interests of nearly fifteen hundred dependent children annually, including victims of abuse and neglect, status offenders (runaways, incorrigibles, and truants) and subjects of adoption, custody disputes, and mental health/mental retardation commitments.

Sponsored by the Family Court, the CAU began accepting clients in 1976 with funds provided by the Law Enforcement Assistance Administration, Office of Juvenile Justice and Delinquency Prevention, with an increasing local contribution over the four-year grant. From its inception, the CAU has emphasized a non-adversarial,

negotiation style of advocacy. The CAU embraces a multidisciplinary concept of advocacy, in which law, social work, and psychology are integrated to protect the best interests of the child, especially within a family unit.

The University City Science Center is a research consortium developed more than a decade ago by more than two dozen colleges, universities, and medical schools in the Philadelphia area, who now make up the board of directors. The Science Center is a research park, providing facilities and support for numerous independent scientific concerns as well as its own staff activities in the areas of data management, solar energy and social science research.

The Social Science Research Group, part of the Research Institutes Division, consists of fifteen doctoral and master's level researchers with an established record of both qualitative and quantitative work. The group specializes in the areas of substance use and abuse, ethnography, justice (including judicial and law enforcement systems and prison industries), mental health and mental retardation, literacy and advocacy.

Deborah Wysinger of the Office of Juvenile Justice and Delinquency Prevention served as Project Officer for this evaluation, providing able guidance and assistance. Alice Tuohy O'Shea, Defender Child Advocate for the CAU, and her entire staff cooperated graciously with the Science Center.

OBJECTIVES

The Science Center designed the evaluation to achieve the following objectives:

A. Context Evaluation

- 1) Review the literature of advocacy and children's rights to place the CAU in the larger context of legal and ideological supports for child advocacy and analyses of other work in the field.
- 2) Trace the history and development of the CAU.
- 3) Study the relationships between the CAU and other Philadelphia agencies with which it interacts and by whose standards it is judged.

B. Process Evaluation

- 1) Study the organization of the unit, particularly its
 - staffing
 - philosophy, and
 - internal views of effectiveness.
- 2) Study the operations of the unit, particularly the
 - exigencies of working in the Philadelphia system
 - information and client flow
 - procedures and effectiveness of courtroom work, and
 - procedures and effectiveness of field activities.
- 3) Make recommendations for improved service.

C. Impact Evaluation

- 1) Study the CAU's impact on its clients' school performance.
- 2) Study the CAU's effectiveness in preventing delinquency.
- 3) Study the CAU's impact on family stability.
- 4) Study the CAU's impact on the experiences of its clients in the justice and social service system.
- 5) Determine if the CAU has a different impact on different types of clients.
- 6) Prepare twenty-nine Case Studies by reviewing documents and interviewing all relevant actors.

METHODOLOGY and DATA GATHERING

The Science Center designed its evaluation of the CAU to be an integrated, multiple method study which would collect relevant data from the agency itself and throughout the justice-social service system in which the CAU operates. The use of several methodologies with different patterns of strengths and weaknesses served as a strong alternative to controlled experimental and quasi-experimental methods

when, as in Philadelphia, all eligible children must receive CAU services so no contemporaneous control group could be constructed to determine program effects.

Methods used in the evaluation included:

- Literature review
- Structured interviews with all eighteen CAU staff members, sixty four outside respondents, twenty six clients, and twenty-seven parents or caretakers
- Systematic observation of nearly three hundred CAU-represented cases in Family Court
- Systematic observation of ten person-days of social service field and court activity
- Casual, unobtrusive observation of office activities over the entire course of the evaluation
- Review of pertinent office documents
- Systematic review of two hundred forty nine CAU case files
- Time series analysis comparing the experiences of a random sample of CAU clients to a random sample of children who entered the Family Court before the establishment of the CAU
- Administration of an Organizational effectiveness scale to CAU staff and outside respondents
- Preparation of twenty-nine detailed Case Studies

Selection of Respondents, Observation Periods, and Cases

Evaluators interviewed all staff members of the Child Advocacy Unit, including the Public Defender and several social work students on practicum, guided by a structured interview schedule.

The evaluation team selected as outside respondents a nonrandom but unbiased sample of individuals from all types of local agencies with which the CAU has contact. Certain agencies to be interviewed were specifically designated by the Science Center in the evaluation design. Then the evaluation team asked the CAU to develop a list of social service provider agencies with which it normally interacts and a list of judges who generally hear CAU cases. The evaluation staff wrote to these judges

asking them to become respondents, and to the directors of these service provider agencies asking them to designate as respondents their agency staff person most familiar with the CAU. Finally, the evaluators added a few additional respondents recommended by the CAU at the end of the interview period.

Through the entire evaluation, the evaluation team systematically observed nearly three hundred CAU-represented cases in Family Court. Approximately eighty percent of these cases were heard during a two-week period in January of 1980, when the evaluators pre-arranged with the Child Advocacy Unit staff and Family Court judges to observe in the courtroom. The evaluation team observed the remaining twenty percent of cases during systematic social service observations, and data gathering for Case Studies.

Systematic field observation was conducted during the last two weeks of February, 1980. A member of the evaluation team prearranged to accompany each CAU social worker during at least two full day's activities in the office, the courtroom and on visits to homes and agencies. Case files for twenty cases observed in the field were reviewed. The evaluation team conducted casual unobtrusive office observation over the entire course of the evaluation.

Evaluators reviewed the CAU's case records for twenty cases observed in the courtroom, conducted structured interviews with CAU attorneys about their case preparation and goals of courtroom presentation for these cases, and merged this information with courtroom observations. Additional case files studied included the twenty nine cases prepared as Case Studies and the two hundred cases in the Time Series Analysis.

Time Series Analysis is a quasi-experimental method which allows values derived from subjects randomly selected from different time periods to be treated as equivalent to repeated measures in the same group over time. In this analysis, data were gathered concerning the experiences of children of four different case types in the years 1973 to 1978 in order to test the hypothesis that the introduction of the Child Advocacy Unit in 1976 would induce larger changes in the dependent variables than that caused by exogenous effects in other time periods.

The twenty-nine cases selected for intensive study were chosen in collaboration with the CAU. CAU social workers selected fourteen cases which were successful, unsuccessful, exceptionally complex, or otherwise interesting. Fifteen cases were selected by the Science Center evaluation team from cases observed in court or the field.

FINDINGS

CONTEXT EVALUATION

Literature Review

The Role of the Child Advocate

An attorney or lay person seeking to serve as advocate for a child in civil proceedings faces a confusing array of role definitions. Burgeoning state and model statutes seem to be leading inexorably toward the conclusion that all children who are subjects or even parties to legal proceedings have the right to legal counsel, yet neither statutes nor the advocacy literature present a clear description of what such representation entails. For instance, while advocates in Pennsylvania take their mandate from two pieces of controlling legislation, the Pennsylvania Juvenile Act and the Child Protective Services Law, the first requires legal counsel for all delinquent and dependent children, while the second requires guardians ad litem for a subset of dependent children, victims of abuse and serious neglect.

A potential role conflict exists around the lawyer-client relationship implied by these two terms. The IJA-ABA standards (1976, adopted by ABA, 1979), require that the attorney press for the clients' stated wishes or, if the child is incapable, ask that a guardian ad litem be appointed in addition to the attorney to determine the client's interests. The guardian ad litem, on the other hand, investigates all circumstances of the case, protects the "best interests" of the client, and counsels and confers with the trial judge (Makaitis, 1978). Several researchers have concluded that the roles of counsel and guardian ad litem are separate and perhaps inimical (Redeker, 1978; Harhai, 1979). A further complication is the heavily social-work

nature of child advocacy, for which numerous schemata have been advanced to describe appropriate advocacy postures (Davidson and Rapp, 1976; Richan, 1973; Middleman and Goldberg, 1974; and others).

Beyond role dissonance, many problems have emerged from the various activities of social service advocates, guardians ad litem, and attorneys. Guardians ad litem have been seen as merely investigators for the Court (Devine, 1975) or as extensions of the court's parens patriae power, an idea that has fallen into disfavor (Harhai, 1979). Some guardians have had difficulty gaining access to documents that are available to attorneys (Makaitis, 1978).

All child advocates suffer from unclear standards of what dispositions are and will be in the best interests of children (Mlyniec, 1977) and of what standards govern intervention in families (Katz et.al., 1977). And controversy still surrounds the relative merits of procedural correctness versus benign flexibility in the judicial process.

The Context of Children's Rights

The roles of attorney, guardian ad litem, and social work advocate come together in the belief that children have rights to a certain quality of life and relationship, but it is not a simple task to define what this means. Various attempts have been made to articulate the rights and needs of children. White (1977) suggests that every child has the "right to be free from domestic treatment which threatens his physical and emotional well-being (p.1165). Goldstein, Freud, and Solnit (1973 and 1979) presume that children have a need for continuity in relationships, the right

to full party status in placement decisions, the right to recognition of their interests as paramount, and freedom from excessive intrusion by the state into their family life. Lowry (1979) has elaborated this concept by describing the rights that many children in foster care are denied. Children have the same liberty interests as adults (Teitelbaum and Ellis, 1978) but these liberties are more frequently restricted.

Children's rights are always balanced against the competing interests of the state, which are justified under the concept of parens patriae. The state has an interest in a healthy, emerging adult generation (White, 1977), the maintenance of the family and in exercising its police power (Areen, 1975). The doctrine of parens patriae has been subject to criticism for failure to protect the procedural rights of parents and children under the cloak of benevolence (Makaitis, 1978).

The constitutional right of parents to the integrity of their families is a third important factor in dependency and custody proceedings, but it is not an absolute right (Chemerinsky, 1979-80; White, 1977). Parents must fulfill their duty to care for and protect their children. Every legal safeguard must be guaranteed to parents, but the balance between children's rights and parents' rights must be weighed in favor of children (Besharov, 1978).

In Pennsylvania, it has been rare for parents to lose custody of their children even after the state held temporary custody for many years, as it has for many thousands of children in foster care. As in other states, guidelines for removal of children from their homes have only been vaguely defined. However, new Foster Family Care Service regulations, promulgated by the Pennsylvania Department of Welfare in July, 1980, do make clear that after removal, the state is to minimize the

period of separation (2-31-8), arrange permanent alternative homes for children where necessary (2-31-9), and insure children's rights in foster care (2-31-10). In short, the call is for permanency planning. Finding permanent solutions for children depends on three major thrusts: remove as few children as possible from their families by providing in-home services; closely monitor, frequently review, and respect the needs of those children in temporary care; and finally, find permanent placements for children relatively soon, even if the right of natural parents must give way to the rights of children to live in functioning new families (Lowry, 1977: 1039 as one example). All child advocates must reconcile their activities to this thrust for permanent solutions.

Interorganizational Relationships

The Philadelphia Defender Child Advocacy Unit operates within a system that includes courts, law enforcement agencies, social service providers, public administrators, schools, and other legal and advocacy organizations. Respondents from this system were asked to rate numerically the effectiveness of the CAU by various functions.

Table 1 below presents mean ratings by constituency. CAU staff, the Family Court judges, and the two respondents from the Department of Public Welfare rated the CAU as average or better than average in effectiveness across all functions. Service providers and the legal professional community rated the CAU as ineffective overall. Respondents in the categories of court administration and other juvenile justice and advocacy groups declined to rate the CAU.

TABLE 1
MEAN RATINGS BY SPECIFIC CONSTITUENCIES OF THE EFFECTIVENESS
OF PERFORMANCE OF SPECIFIC FUNCTIONS BY CAU ^a

Functions	Constituencies				CAU (N = 11)
	Family Court Judges	DPW Officials/ Workers	Service Provider Agencies	Legal Professional Community	
	(N = 8.)	(N = 2)	(N = 12)	(N = 5)	
Internal Management	2.0	3.0	4.4	2.8	3.7
Investigating Client Situations	2.0	3.0	4.4	4.3	2.3
Developing Recom- mendations	2.3	3.0	4.6	5.0	2.6
Legal Representation	2.0	4.5	4.7	5.5	3.6
Independence in Court	1.9	3.5	4.7	5.5	3.6
Getting Services for Clients	2.0	1.5	4.0	4.8	2.9
Follow-up on Clients	2.7	4.0	4.7	4.4	3.1
Internal Cooperation	2.3	3.5	4.0	4.2	3.0
Coordination with Other Agencies	2.2	3.5	3.7	4.1	2.2
Multidisciplinary Model	2.2	3.0	4.2	4.0	2.9
Keeping Families Together	1.7	6.0	4.8	4.6	2.8
Reducing/Preventing Delinquency	3.0	6.0	5.1	6.2	3.5
Improving Service Delivery	2.4	5.0	3.3	2.9	3.0
Contributions to the Law	3.0	6.0	5.0	5.6	4.7
TOTAL	2.3	4.0	4.4	4.6	3.1

a 1 = Very Effective 7 = Very Ineffective 4 = Scale Midpoint

On the rating scale, the CAU staff concurred with other constituencies that among all functions they were least effective in contributing to child advocacy law, preventing and reducing delinquency, and providing legal representation to their clients. Similarly, the CAU was regarded by its own staff and by other constituencies as most effective in investigating the life situations of clients and coordinating with other agencies.

Lengthy structured interviews with respondents revealed that Philadelphians hold diverse views of the appropriate role of child advocates, the most effective handling of troubled families and child victims, and the competence of the Child Advocacy Unit itself. Despite the multiplicity of viewpoints, a majority of respondents voiced concern over three issues:

- A. the CAU's close relationship with the Family Court and the Department of Public Welfare and its potential/ actual compromising of CAU's independence and effectiveness as a change agent;
- B. The CAU's excessive caseload and thus the quality of representation;
- C. the appropriate roles and functions of a publicly funded child advocacy unit.

A. Independence. Nearly all respondents except the Family Court judges gave the opinion that the CAU and the court were too closely linked. While CAU staff perceived themselves as powerful and effective in case and class advocacy, still they felt constrained by court control. Individual comments revealed a general perception that CAU attorneys do not challenge the judges, do not work to change the Family Court system, and are not independent.

CAU's relationship to the Department of Public Welfare (DPW) received mixed reviews. DPW officials and caseworkers described their relationship with the CAU as positive and creative. Some CAU staff worried that their agency was too close to DPW, while others viewed the interaction as a healthy give-and-take of accommodation and cooperation. Many service providers, staffs of advocacy agencies, and some members of the legal community described the CAU as a puppet of DPW, while other constituencies labeled them friendly antagonists with complementary capabilities.

B. Caseload and Quality of Representation.

Evaluators recounted the CAU's caseload at above 1400 unique clients for the 1978-79 fiscal year, with a total staff to client ratio of 1/98 (attorney to client and social worker to client ratios were 1/293). CAU staff all emphasized their very heavy caseload, but social workers felt much more overwhelmed by their caseload. Some staff believed the CAU should limit their caseload, while others wanted to continue accepting all cases.

Most Family Court judges observed that the CAU was understaffed for its caseload, but only one judge thought that the quality of the agency's work suffered from heavy volume. Among other outside agencies, inadequate attention to each case - mass-production advocacy - was the salient criticism of the CAU.

C. Appropriate Roles and Functions of an Advocacy Unit.

Aside from questions of competence, considerable criticism focussed on the CAU's philosophy and values. CAU staff espouse a non-confrontative style of advocacy, preferring slow, steady system change and seeking to shield their clients from the trauma of testifying against other family members.

Most staff members of other advocacy agencies and the sample of legal professionals disagreed with the CAU's philosophies. The strongest complaints were about the CAU's objections to criminal prosecution of perpetrators of abuse, and the CAU's seeming acceptance of the Welfare Department's overly liberal foster placement habits. Most service providers agreed with the CAU's philosophies but disagreed with the CAU about the handling of specific cases.

Towards an Ideal Child Advocacy Agency

The evaluation team asked respondents to envision an ideal child advocacy agency. Respondents agreed that the agency should be directed and staffed by both legal and child welfare specialists who should have a manageable caseload. Attorneys should relate closely to their clients, and should assert their rights aggressively both in and out of the courtroom.

Respondents did not agree about the values an agency should serve, but did agree that an agency should be clear and honest about its values. Any advocacy agency must address many of the following value conflicts, but value differences between agencies may be less important when high performance standards prevail:

- o Community values: supportiveness vs. punitiveness toward disobedient children; supportiveness vs. punitiveness toward abusive parents; parental responsibility vs. community responsibility;
- o Legal professional values: due process protection of children's rights by adversarial means vs. negotiated settlement; the child's wishes vs. independent determination of the child's interests by adults; service delivery vs. contributions to legislation and case law.

- o Judicial values: expeditious dispositions of cases vs. exhaustive hearings; intensive vs. minimal involvement of the court in the details of cases; rights of the child vs. rights of the parents vs. rights of the state; some degree of advocacy service to all children vs. high quality service to the most complex cases.
- o Law enforcement values: prosecution vs. rehabilitation of disobedient children; prosecution vs. rehabilitation of abusive parents; minimal restraint of turbulent children vs. safety of custodial placement.
- o Social service values: short-term planning vs. permanency planning; maintenance of the natural family vs. improving the child's environment; economy vs. exhaustive treatment; freedom vs. protection.

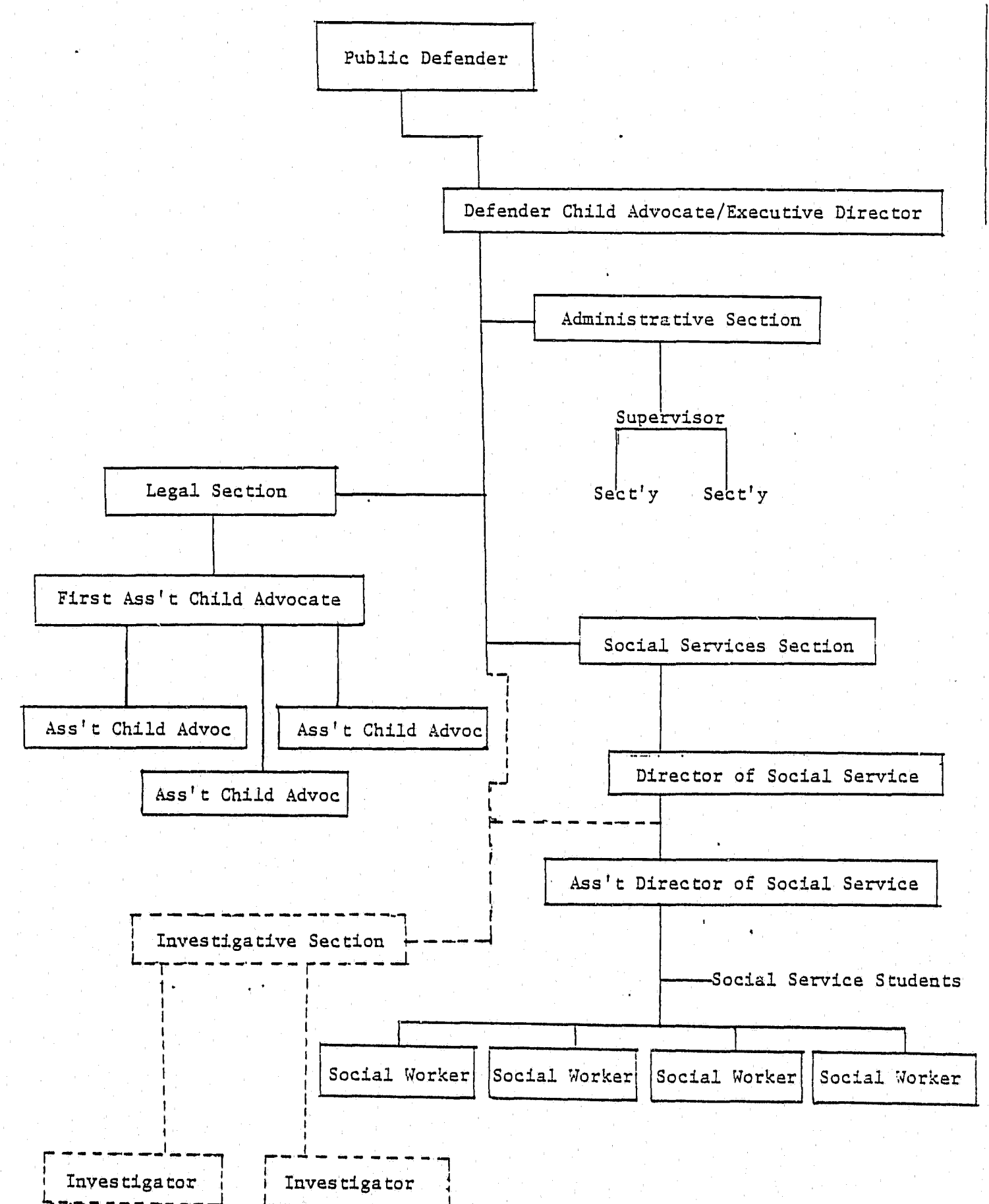
Finally, respondents suggested that independence must coexist with a spirit of cooperation. The ideal advocacy agency should take a leading role in improving the child welfare and justice systems. It may be impossible for an agency to come into being without partisan political or bureaucratic backing, but once in existence, the agency should free itself from political affiliation that may suggest conflict of interest.

PROCESS EVALUATION

The Process Evaluation documents the day-to-day operations of the CAU, exploring its program procedures, organizational structure, and operational strengths and weaknesses.

Organization

The CAU is an organization with interdependent parts (social workers and attorneys), each of which is responsible for a specific set of tasks necessary to the other. The evaluation showed that there are problems which must be addressed before their goal of true reciprocity can be realized.



The Child Advocacy Unit staff included five attorneys (one was the Executive Director or Defender Child Advocate), six social workers, two secretaries, and two investigators (whose positions were phased out during the course of the evaluation). This staffing represented a steady increase from 1976 to 1980. Each attorney had a law degree but very limited special training for child advocacy. All six social workers had bachelor's level degrees in social science fields; one had an M.S. in psychology, and one a doctorate in social work. All social workers had some previous practical experience in social service agencies. The two investigators had both retired from the Juvenile Aid Division of the Philadelphia Police Department.

Lines of authority, which focus on the Defender Child Advocate, were somewhat confused. Major decisions were reached by consensus among the Defender Child Advocate, the First Assistant, and the Director of Social Services, but staff perceived a lack of planning and decisiveness, and confusion about where secretaries and investigators fit in the hierarchy.

The following outline illustrates that the CAU's espoused and practical philosophies were not always congruent. This incongruity contributed to staff stress and detracted from the efficiency and public profile of the agency.

Espoused Philosophy

1. The Child Advocacy Unit is a unique organization at the forefront of the child advocacy.

Philosophy-in-Use

1a. The Child Advocacy Unit is an integral and interdependent part of the existing justice and social service system, and fares best when it doesn't make waves.

1b. Other organizations and individuals conduct advocacy activities and pose a potential threat to the CAU.

2. The CAU is a strong legal advocate, aggressive in the courtroom and active in appellate work.

3. The CAU is a multidisciplinary unit, a close-knit team of attorneys and social workers.

4. The CAU offers child-centered advocacy - each case is prepared and monitored individually, and the child's interests are preeminent.

5. The CAU strengthens the ailing natural family unit.

2a. Legalistic maneuvers are less effective and more threatening to families and agencies than social service solutions.

2b. Appellate work is time-consuming, alienating, and less effective than simply bringing cases back to court for review or waiting for things to work out naturally.

3a. Attorneys and social workers frequently don't communicate or disagree about the needs and interests of clients, the concept of advocacy, and the relative importance of each discipline to the work of the unit.

3b. Functioning in the CAU requires each discipline to devise methods of circumventing the serious shortcomings and inefficiencies of the other.

4a. Children do not really have the cognitive tools to make decisions about their own lives.

4b. Time constraints require CAU staff to organize cases into categories of priority and need, to represent some cases in court without adequate preparation, and to strictly limit post-hearing follow-up.

4c. The child's interests are best served by not offending the court or the welfare department, and are always intertwined with the interests of the parents.

5a. Most CAU clients come from broken homes or single-parent families, so "family" can be variously defined.

5b. Parents have an ultimate right to their children unless they are proven permanently inadequate.

5c. Intervention by law-enforcement is almost always deleterious to the health of the family, so it is better to remove the child from a dangerous home than to use criminal statutes to coerce or punish offending parents.

5d. Foster care is a good protective mechanism, but is the ultimate responsibility of the welfare department.

5e. The problems of most children stem from the poverty and unemployment of their parents. Unfortunately, therapy and psychological types of interventions are the only services available to help families.

6. Mediation and conciliation are the proper tools of child advocacy.

6. When conciliation fails, threats of court reprisals or removal of children are effective motivators.

TABLE 2

ORGANIZATIONAL EFFECTIVENESS RATINGS BY CAU STAFF

	Total n = 11	Attorneys	Social Workers	Investigators
Job Challenging	2.0	1.8	2.8	1.5
Job Busy	1.5	1.5	1.8	1.0
In Service Training	3.4	2.7	4.3	3.0
Colleagues Helpful	2.8	1.5	3.8	3.5
Team Feeling	3.5	2.8	4.5	3.0
Authority Delegated	3.7	3.3	4.5	4.0
Decision-Making Effective	4.4	3.3	5.5	4.0
Management Indecisive	4.2	3.7	5.2	3.0
Conflicts Interfere	3.4	2.7	4.7	2.5
Conflicts Resolved	4.5	3.8	5.0	4.5
Attorneys Utilized	4.2	2.5	6.0	5.0
Social Workers Utilized	2.5	2.0	2.8	3.0
Investigators Utilized	4.5	4.5	6.3	1.5
Secretaries Utilized	3.5	2.3	4.5	4.5
Impact on System	3.5	2.8	4.3	3.5

1 = positive direction
7 = negative direction
4 = scale midpoint or average

On an Intraorganizational effectiveness questionnaire, there was consensus among staff that CAU work was challenging, and that social workers were effectively utilized. Attorneys were the only group who thought secretaries and attorneys were effectively utilized. Ratings indicated that staff did not find the CAU effectively managed, and that there were basic divisions between attorneys and social workers.

Lengthy structured interviews with staff corroborated these ratings. Staff complained of inconsistency and ambiguity in goals and policies, lack of established and regulated procedures, favoritism, and generally ineffective allocation of resources. Communications, especially about individual cases, were described as strained, nonexistent, and ineffective.

Interviews and observation revealed a deep, underlying schism between attorneys and social workers. Virtually every attorney and social worker expressed criticism, mistrust, and theoretical differences with the other discipline. Some attorneys objected to overly personal courtroom testimony and incomplete investigation by social workers; social workers complained that attorneys were ill-prepared and passive in court.

The evaluators observed many signs of stress among the staff, including simultaneous complaints and denial of the difficulties of the unit, lack of affect, and surrender to problems as insurmountable. The CAU's management structure and goals are conducive to stress and burnout.

Operations

The CAU cannot control all aspects of its environment. Both its court and field operations are shaped by the realities of working in Philadelphia. In the

courts, the daily docket of dependent children may include from forty to one hundred cases, and attorneys and clients may wait hours for their cases to be heard. The courtroom atmosphere is one of assembly line tedium and shared suffering. All judges maintain strong control over the extent of all parties' participation, and judges have a great deal of latitude in procedures, courtroom atmosphere, and the amount of information they wish to hear in each case.

The CAU's quarters in the Family Court Building are cramped, ill-marked, and do not facilitate intraoffice communication or privacy. In addition, their physical location in the Family Court detracts from any impression of independence.

The CAU conducts its field operations in the context of an already established children and youth service system and the complicated lives of its clients. The CAU is a relative newcomer to the vast array of youth-serving agencies in Philadelphia, each of which operates under its own structure and value system. The CAU both depends on these agencies and monitors and pressures their service delivery.

CAU clients and their families are frequently in crisis, facing dislocation, poverty, illness, inadequate housing, unemployment, public disclosure of wrongdoing, or crumbling family relationships. Establishing communications with these families and other participants in their cases requires great skill as well as travel; social workers have a continuously full, demanding, and hectic worklife.

Information Systems and Client Flow

When a case is assigned to the CAU at a court hearing (CAU receives all of its cases from Family Court judges), the CAU officially represents the child from the moment of appointment, without preparation for the initial hearing. After the hearing,

the physical file, consisting of a form completed by the attorney who was in court, is sent to the Units' office manager who routes it to the Social Services Section for assignment to a permanent social worker, and updates the file as further information comes in. Files are then pulled as cases appear on the court docket; most work is done on a reactive basis. For both new and old cases, social workers are expected to get worked-up case files to the attorney pre-assigned to the appropriate court day in time for him/her to prepare for the appearance. Turn-around time is usually short, especially on the ten-day hearings required by law for children removed from their home.

The evaluation team found that CAU case files do contain considerable information about clients and the progress of their cases, but files are not kept in a form that is effective for rapid updating, rapid retrieval of information for representation of clients in hearings, or for CAU's internal monitoring of the quality of their representation.

Information in the files appears to be generated almost exclusively by social workers, who prepare handwritten notes about investigations and planning and gather pertinent documents. Attorneys rarely record their investigations, legal research, or planning. Staff rarely include long-term goals or detailed notes about client outcomes.

Cases were recounted by the evaluation team for July 1978 through June 1979. The tables below show the number of children and families represented in Family Court by the CAU during that year (Table 3) and the number of new cases assigned to the CAU during the same period (Table 4). The majority of children represented by

DISTRIBUTION OF CAU CASES HEARD IN FAMILY COURT
JULY 1978 TO JUNE 1979

	Unique Children	Families	Children/ Family ^a	Hearings/ Family
Neglect	398	209	1.9	2.8
Abuse	260	157	1.7	2.9
Truancy	216	132	1.6	2.8
Incorrigibility	83	80	1.0	3.5
Sex Abuse	51	30	1.7	3.0
Abandonment	111	58	1.9	3.2
Mental Health	118	113	1.0	3.4
Mental Retardation	20	20	1.0	1.7
Custody	195	112	1.7	1.9
Other	<u>11</u>	<u>8</u>		
TOTAL	1,463	919		

^a Only those children who appeared on Dependent Petitions

TABLE 4
DISTRIBUTION OF NEW CASES ASSIGNED TO CAU
JULY 1978 TO JUNE 1979

	Unique Children	Families	Children/ Family ^a	Hearings/ Family
Neglect	231	123	1.8	3.0
Abuse	136	85	1.6	2.9
Truancy	109	67	1.6	2.2
Incorrigibility	57	54	1.0	3.7
Sex Abuse	33	18	1.8	2.8
Abandonment	95	48	2.0	3.3
Mental Health	75	70	1.1	3.2
Mental Retardation	7	7	1.0	2.0
Custody	139	79	1.8	2.0
Other	<u>7</u>	<u>5</u>		
TOTAL	889	556		

^a Only those children who appeared on Dependent Petitions

the CAU were new cases during the year and, by implication, the majority of cases do not extend beyond one year after the petition date.

Courtroom Operations

There is little evidence in case files to document attorney preparation for court hearings. The CAU appeared particularly well prepared for Domestic Relations (custody and visitation) disputes. But even during the relatively short and pre-announced observation period, the evaluation team observed a number of cases where CAU staff were unprepared for court hearings. On one court day, one CAU attorney substituted on short notice for another but said virtually nothing all day, fumbling for notes and struggling for information. Two other examples where the CAU was clearly unaware of major issues in the case are:

Case A:

In a late afternoon hearing during which one attorney substituted for another, the CAU was unaware that their client, in court for a review of an incorrigibility determination, was to be committed imminently to a mental health facility. Neither CAU nor the Department of Welfare had made arrangements for a bed for the child, and neither had prepared the upset teenager for removal from her home. As the girl became more agitated, the CAU attorney suggested that the mental health evaluation could be done on an outpatient basis, an idea that brought forth a spate of anger and ridicule from the exasperated mother who claimed that the girl would refuse to cooperate. The judge called in the Court's Mental Health Officer, who rapidly concluded arrangements for the child's immediate commitment. The CAU attorney did not request an opportunity to interview the CAU's client, and the client, her family, and the judge were clearly unhappy with the proceedings.

Case B:

At this child's eighth truancy hearing in little more than a year, the CAU attorney seemed unaware that an obese eight-year old girl was to be immediately placed in a residential school for educational and emotional evaluation. Although the Court had ordered seven months previously that DPW be ready to place the child if her

attendance did not improve by the next hearing, neither the mother nor the child appeared to be at all prepared for their imminent separation. There was no record of any previous attempt by the CAU to accomplish the court-ordered neuropsychiatric evaluation on an outpatient basis. CAU staff had not been in contact with the child outside of court for a year.

From interviews and discussions with CAU attorneys and social workers, the evaluation team compiled a list of functions the CAU considers important to and frequently employed in their representation of clients.

1. Remain silent in court. Several factors suggest to CAU staff that their most effective role in court is to remain silent. Judges frown on repetition of information they already have in written form. The CAU prefers to let the Department of Public Welfare lead the case, with silent or spoken CAU concurrence. And the CAU takes care not to antagonize judges during one hearing so as not to jeopardize the rest of the day's CAU cases.

The evaluation team found that the CAU's selection of this style has two negative effects. First, most CAU clients were not even aware that they were represented in the courtroom. Second, other participants in the court process question the zealotry of the CAU, thus reducing their public profile as an aggressive advocate.

2. Offer new information to the Court. When new client information of which the Court has no prior knowledge is uncovered by CAU staff, they find it important to enter it into the record. Observation and records review indicate that the CAU does introduce unique information in a few cases, and in many cases corroborates or elaborates on information presented by DPW or other agency staff.
3. Call witnesses in their clients' behalf. Although CAU attorneys perceive the calling of witnesses as important to their representation, rarely do they actually bring their own witnesses. CAU social workers often appear as witnesses, and are generally effective. However, they testify more as guardians, sharing with the Court their perceptions of the client's best interests, which may constitute a role conflict with CAU attorneys.
4. Examine and cross-examine witnesses. Attorneys consider skillful examination and cross-examination of witnesses as part of their special expertise. They appeared well prepared and skillful when they did examine witnesses called by other participants, but rarely did they attempt to prepare or examine their own social workers in testimony.

5. Present to the Court a unified agreement among participating agencies. Both to expedite court procedure and to encourage cooperation among agencies and family members, CAU staff find it of great importance to come to hearings having already mapped out agreements among all parties. The CAU and the Department of Public Welfare do frequently present agreements, many of which are worked out in hasty caucuses immediately preceding the court day. Some agreements break down in court because vital pieces of information were missed. There is some evidence that the goal of presenting unified plans supersedes the goal of representing the client's interests.
6. Request to represent additional clients. CAU attorneys did request judicial appointments to additional siblings of their clients in a number of observed hearings.
7. Call for early review. Rather than file formal appeals, the CAU believes a more effective method of handling unsatisfactory case dispositions is to call for early review. The evaluators did not observe any cases where, even after dispositions which did not suit the CAU, attorneys requested early review; nor were there records of cases that had been relisted because of unfavorable dispositions. The CAU has not initiated appeals in any of its cases.
8. Advise Court of conflicts. The CAU deems it a conflict to represent children whenever their parents are represented by a Public Defender. The CAU does point out such conflicts in court whenever a judge fails to recognize this. Some professionals, however, see a conflict in the CAU's closeness to the Public Defender; the CAU is viewed as espousing a "Defender" mentality, overly concerned with protecting the interests of parents rather than the unique interests of their clients.
9. Advise the Court of proper procedures. CAU attorneys do apprise the Court and other parties of proper procedures for arranging placement and other services to clients, and sometimes comment on court procedures such as the lack of counsel for parents.
10. Present the case from the child's point of view. The CAU views itself as a unique representative of the child in the courtroom. Yet neither a particularly personal relationship with the client nor a particular familiarity with a client's life situation characterized the CAU's representation. The evaluation indicated that CAU staff have not implemented strategies to achieve uniquely child-centered goals, e.g., quick resolution of cases, creation of and placement in non-restrictive settings, and ensuring reunification of families.

CAU attorneys have not sought to develop traditional lawyer-client relationships with their clients. Attorneys expect social workers to interact with clients and plan for placements and treatments. Attorneys are polite but do not relate closely to or communicate with their youthful clients. Attorneys function somewhat like guardians ad litem as described by Makaitis (1978:252-253), seeking to protect the best interests and general welfare of their clients, and serving as a sort of officer of the court. However, attorneys do not fulfill the guardian's investigative role considered crucial by Fraser (1976) and have not implemented procedures to merge CAU social worker investigations with attorney courtroom representation.

Field Operations

To the attorneys, virtually all social work activities was seen as case preparation for court hearings. Most social workers, however, perceived the extra-courtroom counseling and negotiating for services as far more beneficial to their clients than any decision rendered in the courtroom.

While some cases exhibited inadequate field activity, the evaluation overall found that the CAU social service section maintained an extremely high level of efficient activity. CAU social workers were involved in the following set of activities:

1. Investigation. Originally, factual case investigation was carried out by staff investigators; during the evaluation period, staff agreed that all cases demanded the more sensitive skills of a professional social worker. The two investigator positions were phased out, placing even heavier demands on the social workers, who pressed attorneys to assume more case preparation responsibility.
2. Planning and recommendations. Staff considered planning the second major function after investigation. The planning task is first to assess and then to fill the needs of the child and family, seeking in a non-antagonistic manner to answer whether the child is safe, whether his/her emotional, physical, and psychological needs are being met, and whether the parents are emotionally stable.

CAU social workers exercised wide latitude and relative autonomy in making these judgments and in weighing the potentially conflicting interests of parents, children, and service-providing agencies.

The CAU had not established a clear hierarchy of goals to be pursued, e.g. child's safety and family unity. And while CAU social workers were individuals of high motivation and genuine concern, most were not academically or professionally qualified to determine the emotional stability and general prognosis of clients and their families.

3. Counseling and other direct services. While the CAU proclaimed that it did not provide social services, but rather arranged and advocated for them, the evaluation found that the staff did provide a great deal of counseling crucial to their task. Social workers must continually convince clients and families to make use of services.
4. Brokering. Brokering is the linking up of clients to existing resources (Middleman and Goldberg, 1974). In the absence of a strong courtroom presence, it was the major activity of the CAU. The CAU depended on three factors to boost its persuasive powers: the interpersonal skills of its staff, a history of particular care and concern for children, and the implicit power of the Family Court. Problems inherent in brokering include the continuing need to rework plans, the overlap of CAU and DPW brokering duties, and the lack of needed services.
5. Mediation. Mediation is helping "parties in conflict to rediscover their need for each other, thereby freeing them to contribute to each other's welfare" (Middleman and Goldberg, 1974: 59-60). Domestic Relations cases provided the CAU with the most demands for mediation, a task particularly well suited to the goals of the CAU.
6. Advocacy. The CAU had not engaged in activities which fit under the more aggressive definitions of advocacy, because they took care to avoid labeling any parties as adversaries. Neither had the CAU taken a leadership role in changing system procedures, developine new services, or shaping legislation.

IMPACT EVALUATION

Case Studies

With the collaboration of CAU staff, the evaluation team selected twenty nine cases for intensive study. All cases were screened by CAU social workers to eliminate cases where family stability might be harmed by further intrusion. CAU social workers made the initial contact with all families. Members of the evaluation team reviewed the case files and interviewed the principals in each case. Only seven case studies are presented in this Summary, directly in front of Impact Conclusions, and all names are fictitious.

Time Series Analysis

The evaluation team gathered data concerning the experiences of children who entered the Family Court during each of six years - 1973 to 1975, before CAU began representing children, and 1976 to 1978, after the establishment of the CAU. The time series analysis tested the hypothesis that the introduction of the CAU in 1976 would induce larger change in the twenty-four dependent variables (Table 5) than that caused by exogenous effects such as changes in laws or courts. Some variables such as family stability and level of CAU activity were derived indirectly from these variables. Cases were randomly drawn from the entire Family Court population of new cases in 1973-1975 and from the CAU population in 1976-1978.

TABLE 5

DEPENDENT VARIABLES FOR ANALYSIS OF VARIANCE

1. Age at petition
2. Parents separated or divorced during year after petition
3. Whom child lived with at time of petition
4. Whom child lived with one year after petition
5. Child stayed with family throughout year after petition
6. Evaluation(s) of child completed
7. Delinquent charges and disposition during year after petition
8. School attendance
9. School performance
10. Time between petition date and first court appearance
11. Number of court appearances during year after petition
12. Number of non-appearances for scheduled court appearances
13. Number of bench warrants issued
14. Child committed to DPW
15. Child assigned to DPW for supervision
16. Child placed outside family (e.g., foster care, group home)
17. Child returned to family after placement
18. Evaluation(s) or study of child ordered
19. Evaluation(s) or study of parent ordered
20. Counseling ordered for parent
21. Counseling ordered for child
22. Counseling ordered for family (parent and child)
23. Petition disposed within one year
24. Agreement among parties in case

Items 12 through 24 refer to court dispositions and court ordered activities

There were insufficient cases to fill the 1973 Truancy, the 1975 Incorrigibility, and the 1976 Incorrigibility cells.

TABLE 6

TIME SERIES ANALYSIS SAMPLE

Sample Cases by Case Type				
Year of Entry into Juvenile Court	Abuse	Neglect	(Education) Truancy	(Status Offense) Incorrigibility
1973 (Juvenile Court Files)	10	10	9	10
1974 (Juvenile Court Files)	10	10	10	10
1975 (Juvenile Court Files)	10	10	10	9
1976 (CAU Files)	10	10	10	0
1977 (CAU Files)	10	10	10	10
1978 (CAU Files)	10	10	10	10

The results of the analysis of variance by year indicate that the establishment of the CAU had no statistical impact on the dependent variables obtained for the samples. However, cross tabulations revealed certain trends developing after 1976. Across all case types, counseling was more likely to be ordered by judges after the establishment of the CAU, particularly counseling for the child in truancy cases and counseling for parents in abuse and neglect cases. Accompanying this pattern, the majority of abused clients were placed outside the family prior to 1976, but the majority stayed with their parent(s) after

the creation of the CAU. For abuse and neglect cases, agreements reached in court among the parties were more likely to occur with CAU representation.

In general, both race and sex, like year of entry, were irrelevant as sources of variation. However, age of petition varied by race among truancy cases, and abused girls were more than three years older than abused boys. In addition, black children who were placed were somewhat more likely to return home than children of other races.

CASE STUDY #3: ABUSE

SHERRY

Background

Sherry is an 11-year-old girl. Her father died two years ago, and Sherry was living at home with her mother, her sixteen-year-old sister and two older brothers. She is now living in a foster home. Sherry has been diagnosed as suffering from psychosocial dwarfism, failure to grow in an emotionally non-nurturing environment. Sherry's height and weight are roughly that of a seven-year-old.

Sherry's family is beset with many problems; the mother has been described as an alcoholic with physical and mental deterioration, and both older brothers have behavior problems. Her sister appears to assume an adult role in this family. Sherry has missed considerable school during the past two years as a result of a car accident and other medical problems.

Progress of the Case

During November of 1979, Sherry was admitted to Parkview Osteopathic Hospital because of a bowel obstruction and failure to eat. Shortly after her admittance, the hospital filed a CY 47 alleging abuse because of Sherry's apparent failure to grow. DPW then filed a dependent petition and took temporary custody of Sherry. DPW requested that she be adjudicated dependent under the Juvenile Act and severely neglected under the Child Protective Services Act.

Sherry was soon transferred to Children's Hospital of Philadelphia for further evaluation of her nutritional status and her failure to attain normal size. In December of 1979 Sherry was admitted to the Philadelphia Child Guidance Clinic for further evaluation, and an attempt to help her family to be more supportive and nurturant toward her.

Her physician at Children's Hospital continued to supervise Sherry's medical case, and concurred in the diagnosis of psychosocial dwarfism after finding no organic causes for Sherry's failure to gain weight. Her physician predicted that it might take many months in a more emotionally nurturing environment before Sherry's body begins to utilize calories to promote growth.

In January, 1980, Sherry's case was heard in Dependency Court, with the evaluation team observing. Sherry's mother, not represented by an attorney and appearing distraught, interrupted the hearing many times to express her closeness to Sherry, to object to the Child Guidance Center's testimony that she failed to cooperate in therapy and to visit Sherry during her stay at Child Guidance, explaining that her physical infirmities and the expense made public transportation too difficult, and to complain loudly about the unfairness of the proceeding. The Department of Welfare

caseworker (a student) and attorney and the CAU attorney, conferenced hurriedly immediately before the hearing, and jointly recommended that Sherry be placed temporarily with her uncle, who stated his willingness to the court with the proviso that his family responsibilities precluded his assuming long-term care. The court found Sherry dependent and placed her in the custody of the Department of Welfare, to live temporarily in her uncle's home. The CAU attorney emphasized the importance of maintaining the close bond between mother and child, and helping the mother get help.

Within the next few months, Sherry's uncle was no longer able to care for her. There are some indications that, had he received financial support, he may have provided a more permanent home, because his other heavy family responsibilities made this additional burden difficult. Sherry was moved by the Department of Welfare to a foster home outside of Philadelphia, and her mother and sister do not know where she is.

CAU Activities

The CAU was court approved as a child advocate for Sherry in November, 1979. Shortly thereafter, the CAU social worker, a social work student, requested and conducted a home visit with the mother. As a result of this interview, the CAU recommended a psychological evaluation of Sherry and her mother. The CAU social worker also spoke to physicians and social workers from all the hospitals where Sherry was treated and evaluated, as well as with her family physician. Several planning conferences were held with agency representatives involved in this case. The CAU appeared to have changed their recommendations as a result of input from these sessions. Their first recorded recommendation was for Sherry to remain at home and undergo therapy with her mother. At the time of the hearing, after conferring with DPW representatives immediately before the hearing, CAU recommended that Sherry live temporarily with her uncle while her mother received therapy. After several months, the CAU joined other agencies in recommending that Sherry be placed in foster care, that DPW continue to sustain contact between Sherry and her natural family, and that Sherry and her mother continue counseling toward the eventual goal of reuniting the family. The CAU social worker student handling this case completed her practicum and left the agency. The CAU's Director of Social Services put a memorandum in Sherry's file, stating that, with the departure of the social work student, no CAU social worker would be covering the case due to case load demands. No mention was made of the great distance placed between Sherry and her mother, the remoteness of family reunification under this arrangement, or a date for review.

Client and Parent Response

Sherry was seen at the time of her first court hearing. She was not allowed to stay in the courtroom, although she appeared mature and articulate for her age. As a social worker supervisor (not an agency representative) explained the proceedings to her outside the courtroom, Sherry, unaware that the CAU attorney was in court, said, "But who is representing me?" Sherry expressed her desire to go home with her mother

to those outside the courtroom. The evaluators were unable to locate Sherry in foster care for a later interview.

Sherry's mother was interviewed twice, the first interview being short as the mother was incoherent. Sherry's mother still had difficulty on the second meeting, but was able to answer questions with the assistance of her future son-in-law.

The mother vaguely recalled the CAU social worker assigned to the case. She largely remembered working with a DPW worker, but met the CAU attorney in court, and felt that the CAU had done nothing for Sherry and the family.

The mother and her future son-in-law expressed great dissatisfaction with the child welfare system. They have tried and failed to find Sherry, calling DPW many times to leave messages but never receiving any response. They had not called the CAU for information or assistance.

CASE STUDY #4: SEXUAL ABUSE

SIMON and ROBIN

Background

The family first came to the court's attention in February of 1978 when Simon's and Robin's two older sisters were involved in auto theft and running away from home. Since both of these girls are now married, they are considered by the CAU to be "stabilized".

The children's mother has been diagnosed as schizophrenic, while the father has been identified as an alcoholic with serious personality disorders. Although both parents have been advised to seek therapy, Juvenile Court has no jurisdiction over the mental health of parents, and they could not, therefore, be required to seek help. Both, despite repeated requests by various professionals, refused to seek help. The Department of Public Welfare therefore requested in early 1979 that the two younger children, Simon (11) and Robin (9), be removed from the custody of the parents.

Progress of the Case

The children were committed to DPW and placed at the Ivy House Group Home, run by the Salvation Army. New psychological tests were given to the parents, and they were encouraged to go into therapy. Once again, they refused. They also refused to visit their son and daughter at Ivy House. The children did, however, receive frequent visits from their two older sisters, who took them to see their parents. The children were fairly happy with their placement at Ivy House.

As the investigation of the case proceeded, indications of sexual abuse of Simon by his mother were uncovered, although no real evidence was available. Issues of neglect rather than sexual abuse dominate the case record.

An attempt was made to have Simon stay with an aunt, but without success. It was about this time that the Salvation Army decided to close Ivy House. All of the children currently residing there had to be placed elsewhere. Robin had become involved in the Big Sisters program and with a well-to-do family while at Ivy House, and there appeared to be some interest in placing her with that family. However, the parents would not allow either of their children to be placed in a foster home, and both children were placed in the United Methodist Home for Children. The children are still at the Methodist Home, where a social worker has finally been successful in involving both parents in counseling sessions with the two children.

Involvement of CAU

The CAU social worker first visited the children at Ivy House, and saw them there several times before they were moved to the Methodist Home. It was her opinion (and that of the CAU) that siblings should be allowed to remain together, and that all attempts should be made to reunite the family unit. Thus the CAU recommended placement together at the Methodist Home. This point of view caused considerable controversy between CAU and the local Big Brothers and Big Sisters organizations. Both of the organizations lobbied for foster placements for the two children, and there is a letter from the Big Brothers Association to that effect in the file. The CAU social worker indicated that she considered such intervention as overstepping the role of the Big Brothers agency, and that deciding what placement is in the best interest of the child is the responsibility of the Department of Public Welfare. There is no indication that the CAU encouraged or assisted these articulate children to voice their opinions in the courtroom.

The CAU social worker also visited the children at the Methodist Home several times, once accompanied by a member of the evaluation team. During this visit, the children appeared to be more than happy to see her and even expressed disappointment in not having seen her as often as they had while at Ivy House. The social worker's rapport with these two children could not have been more apparent. Simon expressed dissatisfaction with the Methodist Home, although he indicated that he did not want to go home. Simon appeared uneasy with the thought of seeing his mother, and the social worker indicated that there had been a serious breakdown in communication between Simon and his mother.

Client and Parent Response

Simon and Robin were interviewed together by the evaluation team. The children indicated that their first contact with the CAU came when the CAU social worker visited them at Ivy House. They indicated that they really knew nothing about CAU, and that although they had wanted to go to their court hearing, the supervisor at Ivy House told them they did not need to go, and in fact refused to allow them to appear.

Simon had not wanted to be placed in the Methodist Home. He wanted to go to a foster home. Robin had also wanted to be placed in a foster home, but she said that she would have been too far from her mother, so she accepted placement at the Methodist Home.

Simon's and Robin's mother was interviewed by the evaluation team. She indicated that she learned of the CAU's involvement through the case social worker, although she did not know why they were involved. When questioned as to the CAU's affiliation, she indicated that she thought CAU was a part of the Court, though not part of DPW. The mother reported that the only questions asked of her in Court by the CAU attorney were in reference to the maintenance of her daughter's relationship with Big Sisters, and that she could remember no specific recommendations being made to the judge by the CAU attorney.

She felt that CAU was helpful in some ways, particularly during the movements of the children from Ivy House to the Methodist Home, but that they hurt the family because of the continuing separation of family members from each other. The mother felt that the CAU was doing the best they could, but that her greatest need was for a job rather than welfare. She apparently felt that finding her a job was a legitimate responsibility of the CAU.

Other Response

The evaluation team interviewed the children's social worker at the United Methodist Home, and their DPW caseworker. The Methodist Home social worker indicated satisfaction with the involvement of CAU in the case, and cited specifically the rapport of the CAU social worker with Simon and Robin. She said that the CAU social worker called about two weeks after the children were placed at the Home to talk with her. She has had no conflicts with CAU although she has heard other agencies express concern about CAU's meddling. Her plan throughout has been to try to bring the family together to help them deal with their problems.

The children's caseworker from DPW indicated that at times he was unsure what the CAU's position was, and the children also seemed confused as to what would happen to them. He felt that in the end, all parties were in agreement that reunification was in the childrens' best interest.

CASE STUDY #11: NEGLECT

AARON

Background

Aaron is a 2½-year-old boy born in 1978 to a 14-year-old unmarried mother. This case came to the attention of the court in May, 1978, when the physician treating the baby for a serious cold reported the family to DPW as severely neglecting the child to the point of abuse; the hospital was familiar with the mother, the teenaged aunt and the grandmother, who had a history of neglecting their children. The mother had evidenced emotional disturbances, and the entire family is known to many agencies as a disorganized and abusive group. The mother lives currently with her elderly aunt and uncle, her teenaged aunt with baby, and her teenaged brother. The grandmother, allegedly alcoholic, lives nearby with her boyfriend and retarded baby. Both homes have been described as filthy and hostile.

Progress of the Case

Aaron was temporarily committed to DPW, and placed in foster care in May, 1978, through Inter-Church Child Care, and has been reported to be thriving and healthy throughout the two years. The case has been heard in Dependency Court nine times since 1978, with no substantial progress made towards solving the mother's problems, both mental health and delinquency, or creating some permanent custody arrangement.

The mother underwent psychological and psychiatric evaluation at Hall-Mercer Community Mental Health Center in November, 1978; the report described her as extremely deprived and emotionally neglected herself, with virtually no prospects of providing stability and care for her son. The mother was later committed to the Child Guidance Clinic and Eastern State School and Hospital, and found to be troubled and immature, and resistant to education, counseling, and parenting training.

The mother has maintained a regular visiting schedule with her young son, usually accompanied by another family member. Inter-Church describes her as relating to her son as a toy, unwilling to take responsibility for the less pleasant aspects of child care, and responding with tantrums when her son's illness forced the cancellation of a visit. The child is always upset by the mother's roughness and irritability during visits. The foster agency recognizes that the mother is proud and possessive of her child, but that she has no desire to change and grow and will thus continue to be incapable of caring for her son. Aaron already stands in marked contrast to the development of the other babies in this family, and will find it difficult to adjust to the family lifestyle. Inter-Church has asked for a permanent decision to be made to terminate the mother's rights to the child to free him for adoption. A second option is to return him to the mother before it is too late for him to make the adjustment, given that DPW has not decided to remove the other two young children from an identical situation.

The subject of most court hearings has been the evaluation of the mother, and the obtaining of suitable services for her, although most concerned agencies, including DPW, have expressed despair about the family's prospects. There has been considerable confusion about various psychological reports and the assigning and fulfilling of responsibility for the mother's status. Both the Court and the Child Advocate Unit have spoken out strongly against removing the child permanently from his natural mother, preferring to give the mother more chance to improve her situation. Lately, there have been efforts to place the mother and the child together in a group home or foster care facility, but the mother has not cooperated.

CAU Activities

An investigator for the Child Advocate Unit visited all members of the family except the child soon after the petition was filed in 1978. At first the investigator recommended that the baby be committed to DPW while the mother receive counseling; shortly thereafter, the investigator began recommending that the essentially inadequate mother be relieved of her rights to the child. A second minimal investigation was conducted before the September, 1979 court review, phone contacts were made in March, 1980, and a CAU social worker visited Aaron for the first time after the March, 1980 hearing, at which the foster placement agency complained that CAU had no personal knowledge of the child, the interaction between mother and child, and the difficulties the child would face in returning home.

The CAU attorney's notes from the March 1980 court hearing indicate that the Child Advocate Unit finds that the "major issue here is that the mother needs services" and has not gotten them. The CAU opposed the freeing of the child for adoption, but noted that the unit ought to drop their strategy for placing the mother and child considering the strong objections of the DPW caseworker and the mother's attorney.

The CAU attorney expressed doubts about the viability of the family, but hesitated to voice these doubts in court because the judge would probably continue to reject the motion for Involuntary Termination.

Parent Response

The mother was interviewed by telephone by the evaluation team, but did not want to participate in a face-to-face interview. She was familiar with the Child Advocate Unit, but did not know what part they played in the proceedings. She emphasized that she wanted her son back, and did not want to be placed anywhere.

Other Response

A representative from Inter-Church Child Care was interviewed by the evaluation team. She reiterated the agency's position that the mother did not have the ability or the desire to learn to care adequately for her son, and that, even though efforts should be made to assist the mother, the fate of her young son should be addressed immediately and independently.

She advanced the opinion that the Child Advocate Unit is dedicated to the preservation of blood ties above all other rights and interests of the

child as an individual, which worked to the detriment of their client in this case. She felt that the CAU had actually inhibited the speedy solving of problems in this case. It is especially important to make permanent plans for Aaron immediately, because it will become more and more difficult for him to make the adjustments he must make - either adjusting to his natural family, which will provide a much more disorganized and less intellectually stimulating atmosphere than he has grown up in, or the better option, adjusting to a new adoptive family.

The attorney for the mother was also interviewed. Although she has sought to advance the desires of the mother over the two years, she has come to believe that a decision must be made quickly either to put the child up for adoption or return him to the family. She does not feel that the CAU understands the realities of the case, clinging instead to unspecific principles, nor have they been prepared to represent the child adequately.

CASE STUDY #13: TRUANCY

CHARLIE

Background

Charlie, a sixteen-year-old boy, lives in South Philadelphia with his parents. The youngest of six children, Charlie has had a pattern of non-attendance at school since the first grade. During the 1977-78 school year Charlie was absent 165 days. During the next school year (1978-79) he was absent, unexcused, for 143 days.

Based on this pattern of school attendance, the School District of Philadelphia assigned a Home and School Visitor, traditionally called a Truant Officer, to escort Charlie to school on a daily basis. This arrangement worked well and it was then determined that there no longer was a need to escort Charlie to school. However, once this arrangement was terminated, Charlie resumed his pattern of non-attendance.

Progress of the Case

On February 21, 1980, Charlie appeared in Family Court, cited as a truant by the Philadelphia Board of Education. The judge ordered the Board of Education to provide an overall, comprehensive plan by April 29, 1980, which would be responsive to Charlie's educational needs. It was also decided at this time that he should be enrolled in the Franklin Learning Center, a center within the Philadelphia Public School System which is oriented towards specialized education including remedial courses.

Ironically, before the judge's order, Charlie had expressed an interest in attending the Franklin Learning Center but was not referred there. However, a week prior to his court hearing, Charlie received a letter of acceptance stating that he should report to the school on February 20th, the day before his hearing. He began attending after the court hearing.

CAU Activities

The Child Advocacy Unit (CAU) was appointed to the case in February of 1980. Subsequently, a CAU social worker visited with Charlie and his parents to discuss the upcoming court hearing. It was at this time that the CAU learned that Charlie had already been accepted at the Franklin Learning Center.

The social worker made arrangements to escort Charlie to the Franklin Learning Center to discuss a program for meeting his educational needs.

The social worker, after reviewing Charlie's files, felt that the primary reason for Charlie's pattern of non-attendance was his poor reading skills. He expressed concern that the Board of Education, in anticipation of the judge's order, was attempting to appear as though it was being "decisive" in meeting Charlie's need, but that Charlie would not really have a specialized program mapped out for him once he entered FLC. The social worker wanted to discuss such a specialized program with the FLC counselors.

Client and Parent Response

Charlie and his parents were interviewed by the evaluation team. Charlie stated that he first found out that the CAU was representing him through the Neighborhood Youth Corps. However, his mother indicated that the first time he knew anything was when the social worker came to her house to discuss Charlie's upcoming hearing. Both said they thought the CAU was part of the court system as well as "most likely" being a part of the Department of Public Welfare.

Although Charlie stated that no one asked him any questions in the courtroom, he did speak to the social worker both before his hearing and after it. He felt that he was helped by the CAU when the social worker escorted him to the Franklin Learning Center. However, he strongly felt that the CAU could better serve him by finding a "place for me to learn because 9:00-3:00 won't get it. I'll just be in the streets." And he expected the CAU to find him an alternative educational arrangement beyond the program he had been offered.

His parents felt that Charlie has been helped by the CAU because the social worker did come and talk with him about his school attendance problem, showing concern beyond what had been shown by the Board of Education.

CASE STUDY #20: MENTAL HEALTH/MENTAL RETARDATION

RICHARD

Background

Richard, 17, has been known to the Department of Public Welfare since the age of seven when his mother requested placement services because of her inability to cope with his erratic, and at times, violent behavior. Since 1971, Richard has lived in several group and foster homes throughout Philadelphia and surrounding counties.

As examples of his erratic behavior, in 1979 he attempted suicide by drinking two-thirds of the contents of a bottle of isopropol (rubbing) alcohol. He has also threatened his mother with a butcher's knife during one of his visits with her.

Richard has been diagnosed as mild-moderate mentally retarded with adjustment reaction to adolescence or, in lay terms, both emotionally disturbed and mildly mentally retarded.

Progress of the Case

The CAU was apparently appointed to the case in August, 1978, when Richard was placed in the Woodhaven School for the mentally retarded; from there he has been placed in several foster or boarding homes. Based on a recommendation by the Court, Richard was placed with his mother on a trial basis. However, this arrangement did not last.

The Northwest MH/MR Center, Richard's base service unit, has been active in seeking out appropriate services for Richard. He was admitted to the Eastern State School and Hospital, an in-patient psychiatric facility, in February 1980 under a court commitment for a 20-day evaluation period. He remained in the custody of the Welfare Department awaiting placement.

CAU Activities

From the CAU's point of view, the major cause of Richard's systematic "shuffling" from home-to-home, facility-to-facility is that he has been diagnosed as both emotionally disturbed and mildly mentally retarded. This has been problematic since a particular facility only treats one diagnosis or the other. In other words, the system has been unable to adequately treat clients with dual problems. Additionally, Richard is said to have a significant problem relating to his peers and this caused many problems in foster homes and public school.

The CAU social worker requested multiple psychological evaluations for Richard, in a continuing effort to bring his problem into clearer view and find appropriate placement. Thus far, all placements have been unsuccessful. The CAU attempted to work closely with Richard's social worker from the Northwest Center, but clearly both are frustrated by the cumbersomeness of services and the lack of an appropriate dual-purpose placement.

The CAU feels that Richard needs a very strong and supportive foster home to develop his peer relations and overall coping abilities.

Client and Parent Response

Richard and his mother were interviewed by the evaluation team. Richard respects the CAU social worker, but because another social worker from the Northwest Community Mental Health Center has been active in Richard's case, the role of the CAU social worker is slightly obscure for Richard.

Although Richard has appeared in court several times he is unaware that a CAU lawyer actually represents him.

Richard's mother stated that she learned of the CAU through Richard and that she was very confused about the role of the CAU in the child's life since he is still in the custody of the Department of Public Welfare. She is very familiar with the Northwest Center social worker, with whom she meets every Tuesday. However, no one from the CAU had ever visited her to talk to her. She said that she had met both the CAU lawyer and CAU social worker in the Court. However, "it always appeared as if so many people were representing him that I didn't know who was who."

Both Richard and his mother feel that he has been helped by the CAU but much more by the Northwest Center. His mother especially feels that with all the help he has received, it is still taking him too long to learn to cope.

Other Response

Richard's social worker from the Northwest Center was interviewed by the evaluation team. He agrees with the CAU evaluation of Richard's case, and shares their great frustration with finding appropriate placement for Richard.

The Northwest social worker finds his relationship with the CAU social worker "mutually beneficial" as information and problems can be shared. As the base service unit for Richard, the Northwest Center feels primarily responsible for Richard's program.

CASE STUDY #22: MENTAL HEALTH/MENTAL RETARDATION

GARY

Background

Gary is a twelve-year old boy who has been living in institutions a good deal of his life. He has two siblings who live with relatives in Colorado. His mother currently lives alone or with her boyfriend. She is physically handicapped by an earlier accident and is confined to a wheelchair or a walker. Gary's father lives alone and sees his son occasionally.

Gary has always been a difficult child to manage. Early on in school he demonstrated unruly behavior. The major incident in Gary's life was his mother's accident when he was five. He witnessed his mother being shot in the back by her boyfriend. Following the accident, Gary lived with his grandmother while his mother was hospitalized for five months. His mother moved back to her mother's house, but she was unable physically or emotionally to care for Gary. Gary became increasingly difficult to manage, and began a series of placements in residential homes which continues to the present.

Progress of the Case

Gary has been known to DPW and the Family Court since July of 1978. He was committed to DPW on a dependent petition and by May, 1980, had come to court 37 times. Although he was adjudicated dependent, Gary's case was heard as delinquent because of his pre-delinquent record.

Gary has repeated the following pattern: he was placed in a facility, ran away from the agency, committed a pre-delinquent act such as pick-pocketing or purse-snatching and was picked up by the police; he was then returned to Court. DPW had been able to avoid a delinquent adjudication because of his young age. Treatment had been thwarted by Gary's running away from four residential programs from July of 1978 through October, 1979.

In addition, he had been committed to Eastern State School and Hospital (ESSH) seven times in two years.

ESSH completed a diagnostic evaluation in January, 1980 and concluded that there was no clinical evidence of mental illness. ESSH expressed very strong feelings against Gary being placed in their facility. Gary did not like ESSH, and DPW was also against his placement there. The CAU staff working on this case was, for a time, divided over this issue. The social worker was against ESSH for Gary, while the CAU attorney favored his placement there.

In 1980, Gary was placed in the Youth Study Center, a delinquent holding center. Most of the representatives from the different agencies working on this case agreed that Gary should be placed in this secure facility temporarily. Eventually, he was placed in Wiley House.

CAU Activities

A CAU attorney and two CAU social workers were involved in this case. Gary had mental health evaluations by five agencies, as well as by a CAU psychological consultant. The CAU social worker and the CAU attorney

reviewed all of these mental health evaluations. They both met with their CAU consultant to discuss his finding that Gary had mental health needs that should be addressed. At this time, they also discussed possible strategies to be employed in the cross examination during the January 25, 1980, hearing. The CAU consultant's evaluation was not accepted by the Court, and a final evaluation was ordered at a local Mental Health Center.

In February, 1980, the CAU Director of Social Services and the social worker met with the evaluation team of the local mental health facility to review their findings. After a long discussion, all agreed that the CAU and DPW should explore Presley Ridge School as a possible placement. All evaluations (except ESSH claimed that Gary had mental health problems due to a lack of nurturing and that he could benefit from special education.

DPW, which does not have a contract with Presley Ridge, decided to pursue an alternate placement plan. A DPW social worker explored twelve different placement settings, and Gary was rejected from each facility. This social worker, however, encouraged the CAU to continue to pursue its exploration of Presley Ridge, as it was always possible that the judge would order placement despite DPW's lack of relationship with Presley Ridge. If this happened, other financial arrangements would be explored.

The CAU attorney was against Presley Ridge as a placement for Gary because he had heard allegations of abuse there. The CAU social worker, the DPW case-worker, and a psychiatrist accompanied Gary to visit Presley Ridge, and all concluded that Presley Ridge was quite suitable. Based on these recommendations, the Court ordered Gary to stay in the Youth Study Center while DPW and the CAU pursued Presley Ridge. Subsequently DPW failed to finalize financial arrangements, and Gary was placed at Wiley House.

The CAU social worker and the CAU attorney had several disagreements over the direction this case was taking. Most of these disagreements centered on appropriateness of placements and adjudication, as well as differences in style of communicating with representatives of other agencies and with Gary. The CAU social worker wanted Gary to remain a dependent child, while the CAU attorney wanted Gary adjudicated delinquent. It is not clear whether these differences were resolved or if a forum was created to attempt reconciliation. It is also uncertain if these disagreements affected the final placement decision for Gary.

The CAU worked collaboratively with other agencies on this case, but had little contact with Gary's family. Both the attorney and the social worker attempted contact with Gary's parents with no cooperation.

Client Response

Gary was interviewed by the evaluation team at the Youth Study Center. He appeared shy and a bit reticent. Gary knew that the CAU was part of the Public Defender's organization and said that the CAU staff tried to help him and "try to let me know what's going on." He first met the CAU attorney in court and was later introduced by him to the social worker. He said that sometimes the CAU was not in court on the day of his hearings.

Gary thought the DPW social worker was in favor of letting him go home, while the CAU was more interested in placing him in a facility. Overall though, he said he usually agreed with the CAU's recommendations, and thought they did a good job.

Other Response

The evaluation team interviewed the DPW court representative who was involved in this case. She stated that she was unsure of the role of the CAU on this case, since a Public Defender was also involved. She stated that the role of the Public Defender is to try to get the charges removed for his/her client, while the role of the CAU is to serve the best interests of the child. Because it was not in Gary's best interest to have his charges cleared, she was unsure how the two branches of the agency could work together.

The DPW court representatives stated that she was very satisfied with the work of the CAU social service staff on this case, but not with the CAU attorney. Most of the problems arose around disagreements over placement and adjudication. Pressure was applied against the attorney, and eventually he agreed that delinquent adjudication was inappropriate, and that temporary placement at the Youth Study Center would prevent the boy from running away.

The evaluation team also interviewed the mental health representative of the Court. She stated that she knew the role of the CAU. She disagreed with several of the CAU's recommendations for Gary because they were too lenient. She was in favor of placing Gary at the Youth Study Center as he needed some "hard knocks". She was against his placement at Presley Ridge because he would run away again. She explained that she was able to convince the CAU that the Youth Study Center was temporarily appropriate until a secure, "hard knocks" program could be found.

CASE STUDY #28: - ADOPTION

SUSAN

Background

Susan was adopted by her parents three days after her birth. She is currently twelve years old. In August 1971, the mother left her husband and child in a domestic relations dispute. Sometime after that the mother regained custody of Susan. She remarried in December 1975, and Susan has been living with the couple since that date. This case was opened because the stepfather petitioned the court for adoption of Susan.

The mother and stepfather are in their late thirties and are reported to present themselves as a cohesive couple. The stepfather, however, has a criminal record (conviction for indecent sexual assault on a minor) and was hospitalized for alcoholism.

Progress of the Case

The case began when the stepfather petitioned the Court to adopt Susan. There were several court hearings; the stepfather and his family were evaluated and treated for potential emotional problems. The results of these evaluations were in the case record and used toward the development of a CAU recommendation. The CAU worked closely with the Court's Adoption Unit and initiated contact with former therapists of the mother and stepfather. This case involved intensive evaluations and assessments of the parents and child to ensure that the adoption served the best interest of the child.

CAU Activities

A CAU attorney and social worker were involved in this case. At the outset, the CAU social worker contacted the family requesting an initial interview. The family granted the interview and the social worker spoke with all family members. At this time she explained her role in the case and the role of the CAU.

The CAU was concerned with providing Susan with a normal living situation. They worked with the court adoptions social worker and psychologist, and requested outside consultants' opinions on the suitability of adoption. At one hearing the CAU recommended a continuance because they felt the case needed more investigation. Most of the uncertainty was with the stepfather. His previous arrest record and mental health history and their possible effects on Susan were a source of concern to the CAU. The CAU was able to request more testing and therapy for him, and eventually perceived some improvement on his part. This led them to believe that Susan would be suitably cared for by her new father. The CAU's final recommendation was for adoption, and the Court concurred.

Conclusions

Conclusions about the impact of the CAU were drawn from both the Case Studies and the Time Series Analysis. While the two groups are not strictly comparable, conclusions to be drawn from the results of each methodology are strengthened by presenting them together.

1. Impact of the CAU on the attitudes and behavior of youth, including school performance and prevention of delinquency.

The CAU was not able to assist its clients to improve their school performance or school attendance significantly more than did children in the court system before the CAU. 1/3 or fewer of all clients improved or were acceptable in school performance and attendance over all the six study years.

Even though education problems are frequent among the CAU's entire population of school-age children, school attendance and school performance were poorly documented in CAU and court records. Case Studies like #13 illustrated the protracted nature of educational problems. The long and problematic histories that truancy and incorrigibility cases bring to the CAU may militate against any real improvement.

Neither was the CAU effective in reducing the number of delinquent incidents among its clients. Fourteen CAU clients had delinquent charges brought against them within one year after their civil petition date; nineteen pre-CAU clients had later delinquency charges. The CAU has simply not been in operation long enough to measure their impact on the young abused and neglected clients they represent. One CAU mental health case is of particular interest in regard to its delinquency issues. In Case Study #22, an appealing twelve-year-old boy, has amassed a considerable collection of charges which would be classed as

delinquent if committed by an older youth. Years of intervention by courts, mental health facilities, and the CAU have failed to resolve fundamental diagnostic and placement questions: is Gary mentally ill, and should he be restrained in a secure facility in keeping with his delinquent activities and running away? Differences among CAU staff provide a microcosm of divergent ideologies working in the service system: treatment vs. punishment for children; protective restraint vs. liberty, mental illness vs. problems in living. In addition, the Public Defender's purpose - that of reducing or removing delinquent charges from clients - clearly clashed with the CAU's purpose of serving the best interest of the child - to get needed treatment for the child; yet both were called upon to represent the child.

2. Impact on Family Stability

The CAU has not been successful in improving family stability among its clients. There was no difference in the rate of divorce or separation among parents of pre-CAU and post-CAU clients. The number of children who remained with their families throughout the year or who were with their families at the end of one year did not change between pre-CAU and post-CAU time periods.

The majority of cases studied did not involve nuclear families at the outset. More subtle measures of stabilization in non-intact families were simply not available for quantitative study. Truancy and Incorrigibility clients were much more likely to come from intact, nuclear families than were other case types.

The Case Studies illustrated the panoply of parental woes that bring cases into Dependency Court. Many abuse and neglect cases presented parents with psychiatric problems, and most sexually abused children were abused by their parents. Many other parents had health problems or inadequate housing. Nine parents were single mothers. A goal of "stabilizing families" is inadequate to fit the heterogeneous array of family situations in which clients live. Many cases illustrate internal CAU disagreements about whether to separate children from their families or which family settings are best (e.g., Cases #3 and #11). Case #28 highlights CAU family involvement and the Court's receptivity to therapy as a goal.

Case Studies and court observation indicate that placement is still a likely happening in Dependency Cases. Decisions about removing children appear to be based heavily on parents' willingness to accept counseling, and may not facilitate the expressed goal of reunification of families (Case #11). The CAU had not clearly set operational goals for defining a family, for stabilizing that family, and for evaluating the success of their interventions.

3. Impact on the experiences of youth in the justice and social service system.

The CAU did not exert any significant influence on the court process, on court-ordered dispositions, or on the kinds of therapeutic interventions ordered. Nor did the CAU significantly reduce clients' contact with the system. The CAU has tried to improve the system by increasing counseling to clients, consolidating a non-punitive approach to dependency cases, bringing the problems of mentally ill and mentally retarded children to light (Case #20), and developing procedures for exchange of information with the Public Schools about truancy cases.

4. Impact by case type represented by the CAU.

The evaluation ascertained that the CAU did not have significantly different effects on any one case type over another. CAU staff have not developed markedly different approaches for different case types, although Medical and Domestic Relations cases allow more creativity and engender more staff satisfaction. Problems are deeply interrelated among case types (e.g., Cases #4 and #22); case type is less an indication of client problems than a marker for point of entry into the system.

PART III: RECOMMENDATIONS

Policy Issues

1. The Child Advocacy Unit should establish an active Advisory Council of professionals in the fields of advocacy, social welfare, and juvenile justice.

Whether the unit remains a part of the Defender Association or becomes a separate entity, the complexity of policy issues the unit faces demands steady, thoughtful input from professionals in the community. The policy Advisory Council may be a governing body or a think-tank group to assist CAU staff in setting goals and objectives, evaluating operations on a case-by-case basis, and improving the unit's public stature as a strong advocacy group. The CAU should seek to include a broad range of active advocates, agency personnel, and academicians.

2. The Child Advocacy Unit should create a stronger impression of separateness from the Family Court.

A strong impression of independence is a crucial aspect of legal representation. The CAU should seek physical separation, either by moving to quarters outside the Family Court Building, or arranging to carve out a psychologically more distinct, accessible, and unified presence within the court building. In addition, CAU staff should downplay their image as part of the courtroom staff during hearings and emphasize a close relationship with their clients.

3. The Child Advocacy Unit should strengthen the child-centered nature of their representation.

Various policy decisions could accomplish this task:

- Resolution of role ambiguity between representing child's best interests and advocating for the child's stated wishes.
- Adoption of a more aggressive courtroom posture.
- Resolution of attorney-social worker conflicts to strengthen intra-organization communications.
- Pursuit, along with other advocates, of changes in court procedures towards accommodation of children and families and their counsel.
- Resolution of goal confusion regarding children's long-term interests versus natural parents' interests (crucial especially if the unit remains as part of the Public Defender).
- Development of an active strategy to alter unfavorable dispositions either administratively or by appeal.

ORGANIZATION

4. The Child Advocacy Unit should pursue new funded programs for representing children in Domestic Relations (custody and visitation) disputes.

Domestic Relations disputes demand the mediation skills the CAU has developed, and representation of these cases has been stimulating for CAU staff. Heavy caseload has forced the CAU to discontinue representing children caught in these disputes.

5. The Child Advocacy Unit should resolve the schism between social workers and attorneys.

Status, role, and ideological differences between social workers and attorneys impede the exchange of information with the agency and the pursuit of clear case and agency goals. With the assistance of a professional Advisory Council, the unit could create an open forum for the struggle to create a truly multidisciplinary unit. Realignment of office space could be a first, simple step.

6. The Child Advocacy Unit should institute measures to ameliorate staff stress and burn-out.

Various measures could serve to improve staff morale and the work environment, including:

- Scheduling structured respites from intense client contact by developing a class advocacy or appeals program.
- Developing measures of successful representation to provide feedback about staff accomplishment.
- Developing a shared, diffuse sense of responsibility for client outcomes.
- Clarifying case and agency goals.

7. The Child Advocacy Unit should clarify the lines of authority between the administrative, social services, and legal sections.

Internal power struggles currently prevent the unit from operating at peak efficiency. All sections are crucial to the organization, but resources and responsibilities should be evenly divided and directed toward the unit's goals.

OPERATIONS

8. The Child Advocacy Unit should determine what size caseload the unit can adequately represent and seek to control caseload accordingly.

Various measures could assist this endeavor, including:

- Developing, perhaps with the court, a rational policy for determining which cases need what degree of CAU involvement.
- Measuring the real extent of social worker, attorney, and administrative involvement in current cases.
- Increasing attorney involvement in case preparation and monitoring.
- Working with other public agencies, advocacy groups, and legislators to reduce the number of non-delinquent cases brought to court.
- Defining the extent of follow-up monitoring CAU can reasonably provide, and mobilizing other agencies to perform what follow-up functions the CAU cannot provide.

9. The Child Advocacy Unit should improve the quality of its courtroom representation.

Various measures could contribute to a higher standard of representation:

- Attorneys should move towards a caseload rather than a zone system of representation, thus increasing their familiarity with their clients, encouraging personal contact with clients both preparatory to and after hearings, and increasing attorneys' satisfaction with their work.
- Attorneys should assume a more consistently visible, verbal and aggressive courtroom presence.
- Attorneys and social workers should implement consistent and predictable conferencing to develop unified short and long-range goals for their clients.
- Attorneys should make more use of outside witnesses on their clients' behalf, and should prepare CAU social workers for their courtroom testimony.
- Attorneys and social workers should seek to avoid the striking of last-minute agreements with the Department of Public Welfare and other agencies in favor of less pressured discussions which could allow all factors to be considered.
- Staff should apprise clients and their families of CAU recommendations to be made and results and ramifications of court hearings.
- Attorneys should devise a better method of handling unfavorable dispositions, and should systematically compare client outcomes, recommendations, and dispositions.

10. The Child Advocacy Unit should clarify what goals it will pursue on behalf of its clients.

The unit should clarify goals and objectives which are currently unclear and inconsistent in the following areas:

- Decisions to recommend removal of children from their parents.
- Definitions of "family" to be maintained or reunified.
- Methods to implement reunification of families.
- Recommendations for secure placements for non-delinquent youths.

In addition, the CAU should participate with other agencies to develop alternatives to temporary removal and placement of children.

RECORD-KEEPING

11. The Child Advocacy Unit should improve its case file system to provide an adequate basis for information exchange and courtroom representation.

Case files should include:

- Intake forms with client and family information.
- Systematic format for chronology of clients' cases.
- Systematic format for chronology of CAU activities.
- Attorneys' notes of case goals, courtroom recommendations, and hearings.
- Social workers' notes of case goals, client and family evaluations and needs, and brokering activities.
- Records of inter-disciplinary conferences.
- Records of discussions and negotiations with the Department of Public Welfare and other public and private agencies.

12. The Child Advocacy Unit should gather data sufficient to evaluate the effects of its own activities.

The CAU must consider its own information needs in designing a more effective data collection system. The chief constraint is staff time, a costly and scarce commodity. However, it is essential that the unit, both for its own health and its continued financial support, begin to establish a solid record of its work.

Important information should include:

- Accurate, efficient, and accessible tallies of case data as described in Part II of this volume.
- Records of staff time allocated to cases, preferably by case type.
- Reliable ratings of success/stasis/failure in case outcomes.
- Substantive and systematic review of a sample of cases by staff and Advisory Council.

BIBLIOGRAPHY

AREEN, JUDITH

- 1975 Intervention Between Parent and Child: A Reappraisal of the State's Role in Child Neglect and Abuse Cases, 63 THE GEORGETOWN LAW JOURNAL 887 (1975).

BERSOFF, DONALD N.

- 1976 Representation for Children in Custody Decisions: All that Glitters is not Gault, 15 JOURNAL OF FAMILY LAW 27 (1976).

BESHAROV, DOUGLAS J.

- 1978 The Legal Aspects of Reporting Known and Suspected Child Abuse and Neglect, 23 VILLANOVA LAW REVIEW 458 (1978).
- 1979 Parents in Child Protective Proceedings: The Emergent Right to Counsel, ADVOCATING FOR CHILDREN IN THE COURTS Washington, D.C. American Bar Association (1979).

BRAGER, GEORGE A.

- 1968 Advocacy and Political Behavior, SOCIAL WORK 13 (April, 1968).

BROPHY, M.C., A.C. Chan, and R.J. Nagel

- 1974 THE ADVOCATE COUNSELING MODEL, unpublished manuscript, University of Wisconsin (1974), cited in Davidson and Rapp (1976).

BROSS, DONALD D.

- 1978 Legal Advocacy for the Maltreated Child, 14 TRIAL 29 (1978).

BURT, ROBERT A.

- 1979 Children as Victims, in P.A. Vardin and I.N. Brody (eds.) CHILDREN'S RIGHTS: CONTEMPORARY PERSPECTIVES, New York: Columbia University Teachers College Press (1979).

CAULFIELD, BARBARA A.

- 1978 LEGAL ASPECTS OF PROTECTIVE SERVICES for ABUSED AND NEGLECTED CHILDREN, Washington, D.C.: Department of Health, Education and Welfare, Office of Human Development Series (1978).

DAVIDSON, WILLIAM S. and Charles A. Rapp

- 1976 Child Advocacy in the Justice System, SOCIAL WORK May (1976).

DEMBITZ, NANETTE

- 1979 Preventing Youth Crime by Preventing Child Neglect, AMERICAN BAR ASSOCIATION JOURNAL, June (1979).

DIETHORN, ROBERT

- 1977 REPORT OF THE TASK GROUP ON FOSTER CARE SYSTEM ORGANIZATION, Harrisburg, Pennsylvania: Commonwealth Child Development Committee (1977).

EDELSTEIN, NATHAN

- 1973 The Law Guardian in the New York Family Court, 24 JUVENILE JUSTICE 14 (1973).

FABER, DIANNE M.

- 1971 Dependent-Neglect Proceedings: A Case for Procedural Due Process, 9 DUQUESNE LAW REVIEW 651 (1971).

FRASER, BRIAN G.

- 1974 A Pragmatic Alternative to Current Legislative Approaches to Child Abuse, 12 AMERICAN CRIMINAL LAW REVIEW 103 (1974).

- 1976 Independent Representation for the Abused and Neglected Child: The Guardian Ad Litem, 13 CALIFORNIA WESTERN LAW REVIEW 16 (1976).

FONTANA, VINCENT J.

- 1978 The Maltreated Children of our Times, 23 VILLANOVA LAW REVIEW 448 (1978).

FOSTER, HENRY and Doris Freed

- 1972 A Bill of Rights for Children, 6 FAMILY LAW QUARTERLY 343 (1972).

GOLDSTEIN, JOSEPH, Anna Freud, and Albert J. Solnit

- 1973 BEYOND THE BEST INTERESTS OF THE CHILD New York: The Free Press (1973).

- 1979 BEFORE THE BEST INTERESTS OF THE CHILD, New York: The Free Press (1979).

GOODMAN, PAUL

- 1977 Reflections on Children's Rights, in Gross and Gross (eds.) THE CHILDREN'S RIGHTS MOVEMENT, Garden City, New York: Anchor Press/Doubleday (1977).

GROSS, BEATRICE, and Ronald Gross

- 1977 THE CHILDREN'S RIGHTS MOVEMENT, Garden City, New York: Anchor Press/
Doubleday (1977).

GUTTENBERGER, ANN E.

- 1979 Foster Placement Review: Problems and Opportunities, 18 DICKENSON
LAW REVIEW (1979).

HAFEN, BRUCE L.

- 1977 Puberty, Privacy and Protection: The Risk of Children's Rights,
AMERICAN BAR ASSOCIATION JOURNAL Vol. 63, October (1977).

HARHAI, STEPHEN J.

- 1979 Ethical Considerations in the Representation of Children, ADVOCATING
FOR CHILDREN IN THE COURTS Washington, D.C.: American Bar Association (1979).

HOLZ, MARVIN C.

- 1978 The Child Advocate in Private Custody Disputes: The Wisconsin Experience,
16 JOURNAL OF FAMILY LAW 739 (1978).

IJA-ABA JOINT COMMISSION ON JUVENILE JUSTICE STANDARDS

- 1976 Juvenile Justice Standards Project in STANDARDS RELATING TO COUNSEL
FOR PRIVATE PARTIES, Ballinger Publishing Company (1976).

KATZ, SANFORD N.

- 1978 Freeing Children for Permanent Placement Through a Model Act, 12
FAMILY LAW QUARTERLY 203 (1978).

KATZ, SANFORD N., Lillian Ambrosino, Melba McGraths, Kitt Sawitsky

- 1977 Legal Research on Child Abuse and Neglect: Past and Future, 11
FAMILY LAW QUARTERLY 151 (1977).

LEVIN, MARSHALL A.

- 1974 Guardian Ad Litem in a Family Court, 34 MARYLAND LAW REVIEW 341
(1974).

LEVY, CHARLES S.

- 1974 Advocacy and the Injustice of Justice, SOCIAL SERVICE REVIEW Vol. 48,
March (1974).

LOWRY, MARCIA ROBINSON

- 1977 The Judge v. Social Worker: Can Arbitrary Decisionmaking Be Tempered
by the Courts? 52 NEW YORK UNIVERSITY LAW REVIEW 1015 (1977).

- 1979 Children's Rights, in ADVOCATING FOR CHILDREN IN THE COURTS, Washington,
D.C.: American Bar Association (1979).

MAKAITIS, REGINA T.

- 1978 Protecting the Interests of Children in Custody Proceedings: A
Perspective of Twenty Years of Theory and Practice in the Appointment
of Guardians Ad Litem, 12 CREIGHTON LAW REVIEW 234 (1978).

MIDDLEMAN, RUTH R. and Gale Goldberg

- 1974 SOCIAL SERVICE DELIVERY: A STRUCTURAL APPROACH TO SOCIAL WORK, New
York: Columbia University Press (1974).

MLYNIEC, WALLACE J.

- 1977 The Child Advocate in Private Custody Disputes: A Role in Search of
a Standard, 16 JOURNAL OF FAMILY LAW 1 (1977).

NAGI

- 1975 Child Abuse and Neglect Programs: A National Overview, CHILDREN
TODAY 13 (1975)

NATIONAL ADVISORY COMMITTEE ON CRIMINAL JUSTICE STANDARDS AND GOALS

- 1976 REPORT OF THE TASK FORCE ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION,
Washington, D.C.: Department of Justice (1976).

NATIONAL ASSOCIATION OF SOCIAL WORKERS AD HOC COMMITTEE ON ADVOCACY

- 1969 The Social Worker as Advocate: Champion of Social Victims, SOCIAL
WORK, 14, April (1969).

PARSONS, TALCOTT

- 1964 ESSAYS ON SOCIOLOGICAL THEORY New York: Glencoe (1964), cited in
Perlmutter (1972).

PERLBERGER, NORMAN

- 1980 Involuntary Termination of Parental Rights, in Carol J. Schrier,
(ed.) LEGAL OPTIONS FOR PERMANENCY PLANNING Philadelphia, PA: Support
Center for Child Advocates (1980).

PERLMUTTER, FELICE

- 1972 Barometer of Professional Change, in Florence Whiteman Kaselow (ed.) ISSUES IN HUMAN SERVICES San Francisco: Jossey-Bass. Inc., Publishers (1972).

PLATT, ANTHONY, and R. Friedman

- 1968 The Limits of Advocacy: Occupational Hazards in Juvenile Court, UNIVERSITY OF PENNSYLVANIA LAW REVIEW, 116 (1968), cited in Davidson and Rapp (1976).

REDEKER, JAMES R.

- 1978 The Right of An Abused Child to Independent Counsel and the Role of the Child Advocate in Child Abuse Cases, 23 VILLANOVA LAW REVIEW 521 (1978).

RICHAN, WILLARD C.

- 1972 DILEMMAS OF THE SOCIAL WORK ADVOCATE, paper presented at the CWLA Eastern Regional Conference, Philadelphia (1972).

RICHAN, WILLARD C. and Marvin Rosenberg,

- 1974 THE ADVO-KIT, copyright Richan and Rosenberg (1971); cited in Middleman and Goldberg (1974).

ROVNER-PIECZENIK, ROBERTA, Allan Rapoport, and Martha Lane

- 1977 EVALUATION DESIGN FOR PUBLIC DEFENDER OFFICES. Washington, D.C.: National Institute of Law Enforcement and Criminal Justice, United States Department of Justice (1977).

SCHERRER, JAMES L.

- 1976 How Social Workers Help Lawyers, SOCIAL WORK Vol. 21, No. 4, July (1976).

SCHOTTLAND, CHARLES L.

- 1968 Social Work and the Law - Some Curriculum Approaches, 17 BUFFALO LAW REVIEW (1968), cited in Scherrer (1976).

SCHULTZ, LEROY G.

- 1968 The Adversary Process, the Juvenile Court and the Social Worker, 36 UNIVERSITY OF MISSOURI AT KANSAS CITY LAW REVIEW (1968), cited in Scherrer (1976).

CASES

Barth v. Barth, 12 Ohio Misc. 141, 225 N.E. 2d 866 (C.P. 1967).

In Interest of Whittle, 397 A. 2nd, 1225, Pa. Super. (1979).

In Re Clouse, 368 A. 2d 780, 244 Pa. Super. Ct. 396 (1976).

In Re Custody of Hernandez, 376 A. 2d 648, Pa. Super. 274 (1977).

In re Gault 387 U.S. I (1967).

In re Jackson, 406, A. 2d 1116, Pa. Super. (1979).

In re LaRue, 366 A. 2d 1271, 244 Pa. Super. Ct. 218 (1977).

In Re Winship, 397 U.S. 358 (1970).

Lessard v. Schmidt, 349 F. Supp. 1078 (D. Wisc. 1972).

McKeiver V. Pennsylvania 403 U.S. 528 (1971).

Meyer v. Nebraska, 262 U.S. 390 (1923).

New York Association for Retarded Citizens v. Carey 393 F. Supp. 715 (E.D. N.Y. 1975).

Parham v. J.L. 47 U.S.L.W. 4740 (1979).

Pennsylvania Association for Retarded Children v. Commonwealth of Pennsylvania 334 F. Supp. 1257 (E.D. Pa. 1971).

Secretary of Public Welfare of Pennsylvania v. Institutionalized Juveniles. 47 U.S.L.W. 4754 (1979).

Stapleton v. Dauphin County Child Care Services, 324 A. 2d 562, 228 Pa. Super. Ct. 371 (1974).

Wyatt v. Stickney 344 F. Suppl. 387 (M.D. Ala. 1972).

STATUTES

Federal Child Abuse Prevention and Treatment Act (42 U.S.C. 501-06, 1974).

Model Child Abuse and Reporting Law in A. Sussman & S. Cohen, Reporting Child Abuse and Neglect 54, 1975.

Pennsylvania Adoption Statute (1 Purdon Supplement Section 311).

Pennsylvania Child Protective Services Law (Act 1975-438, No. 124).

Pennsylvania Juvenile Act (Act 1979 - 41, amended from Act 1972-1464, No. 333).

Pennsylvania Foster Family Care Service Regulations, Department of Public Welfare, Title 55, Chapter II, Section 31, PENNSYLVANIA BULLETIN, Vol. 10, No. 11, March 15, 1980.

SCHWARTZ, BOB

- 1980 Representing the Foster Child - Reunification as the First Priority, in Carol J. Schrier (ed.) LEGAL OPTIONS FOR PERMANENCY PLANNING, Philadelphia, Pa.: Support Center for Child Advocates (1980).

SMITH, STEPHANIE HAWKINS

- 1979 Psychological Parents vs. Biological Parents: The Court's Response to New Directions in Child Custody Dispute Resolution, 17 JOURNAL OF FAMILY LAW 545, (1979).

SOLENDER, ELLEN K.

- 1976 The Guardian Ad Litem: A Valuable Representation or an Illusory Safeguard? 7 TEXAS TECHNICAL UNIVERSITY LAW REVIEW 619 (1976).

TIETELBAUM, LEE E., and James W. Ellis

- 1978 The Liberty Interest of Children: Due Process Rights and Their Application, 12 FAMILY LAW QUARTERLY 153 (1978).

VARGYAS, JOSEPH F.

- 1979 Post-Parham Depression: A Setback for Children's Rights, in ADVOCATING FOR CHILDREN IN THE COURTS, Washington, D.C.: American Bar Association (1979).

WALD, MICHAEL S.

- 1975 State Intervention on Behalf of "Neglected" Children: A Search for Realistic Standards, 27 STANFORD LAW REVIEW 985 (1975).
- 1976 State Intervention on Behalf of "Neglected" Children: Standards for Removal of Children from Their Homes, Monitoring the Status of Children in Foster Cares, and Termination of Parental Rights, 28 STANFORD LAW REVIEW 625 (1976).

WHITE, MICHAEL FREEMAN

- 1977 Dependency Proceedings: What Standard of Proof? An Argument Against the Standard of Clear and Convincing Evidence, 14 SAN DIEGO LAW REVIEW 155 (1977).

WILKERSON, ALBERT E. (ed.)

- 1973 THE RIGHTS OF CHILDREN: EMERGENT CONCEPTS OF LAW AND SOCIETY Philadelphia, Pa.: Temple University Press (1973).

END