



Children's Law Center, Inc.

FY 2015 Annual Report



United
Way



Agency Partner

A Message from the Executive Director

This year, the Children's Law Center reached a milestone – our 25th anniversary year of service to children in our community. Our mission has remained constant – that of protecting children – and a small but dedicated team of lawyers and others have worked tirelessly over the years to bring justice to our clients, and improve basic life outcomes.

Dun & Bradstreet reports that smaller businesses (fewer than 20 employees) “have only a 37% chance of surviving four years and only a 9% chance of surviving 10 years.” The fact that we are now entering our 26th year speaks well for us as a strong and sustainable organization, but it also reflects the dire need for our continued advocacy for children.

Last year, lawyers at CLC provided legal assistance to 510 individual children and youth. Children and youth referred to CLC attorneys are provided holistic representation that can aid in resolving

their legal issues as well as putting services into place that promote better life outcomes. Our clients also learn to better self-advocate for their needs.

This year, we have given special focus to youth re-entering back into their communities from incarceration, and youth who are experiencing homelessness. Youth experiencing these issues are at particularly high risk for being victimized, self-harming and/or returning back into the system if intensive services are not available. CLC also worked systemically on a number of important reforms in Kentucky, Ohio, Indiana, and regionally concerning youth in the justice system, child welfare system, and education arena.

For more information about our work, and the impact we have on the lives of children, read further, or go to www.childrenslawky.org. Thank you for your continued support and partnership.



Warmest regards,

Kim Tandy
Kim Tandy

Outline of Report

Board of Directors

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Mission and Framework

Areas of Focus

Individual Legal Advocacy

Advocacy Projects

NKY Homelessness Project

Re-Entry Youth Project

Class Litigation

Public Policy Work

Juvenile Defender Support Services

Trainings and Education

Chase Children's Law Center Clinic

Annual Fundraising Events

Dancing with the CLC Stars

Ensemble Theatre Benefit

Donor Listings





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YEAR END

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Garien Gatewood, JD

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MISSION:

Children's Law Center, Inc. (CLC) is a non-profit legal service center protecting the rights of children and youth to help them overcome barriers and transition into adulthood, better advocate for their needs, and successfully contribute to society. It provides individual legal advocacy to children and youth, and through public policy work, training and education, impact litigation, and juvenile defender support services, seeks to improve the systems that serve them. CLC offers services in both Kentucky and Ohio, and collaborates with other organizations within the region and nationally on a variety of topics.



Children's Law Center, Inc.

INDIVIDUAL LEGAL ADVOCACY

Education Rights

- ❖ Students with disabilities
- ❖ School enrollment
- ❖ Attendance concerns
- ❖ School discipline issues
- ❖ Placement issues
- ❖ Homelessness issues

Mental Health

- ❖ Access to services
- ❖ Quality of care

Incarcerated Youth

- ❖ Right to Education
- ❖ Protection from harm
- ❖ Right to religious practice
- ❖ Civil matters

Protection from Harm

- ❖ Child custody issues
- ❖ Abuse, neglect/dependency
- ❖ Guardianship issues
- ❖ Institutional abuses
- ❖ Child victim/witness cases
- ❖ Youth who are Refugees

Juvenile Justice Issues

- ❖ Re-entry civil matters
- ❖ Delinquency and status offenses
- ❖ Due Process Concerns

SYSTEMIC IMPACT

Class Litigation

- ❖ Conditions of confinement
- ❖ Access to counsel
- ❖ School discipline issues
- ❖ Due process rights

Public Policy Work

- ❖ Administrative advocacy
- ❖ Legislative advocacy
- ❖ Judicial rule making

Training and Education

- ❖ Continuing Legal Education
- ❖ Presentation to parents/youth
- ❖ Blog Talk Radio production
- ❖ Webinars on children's rights

Juvenile Defender Support Services

- ❖ JDAI defender services (Ohio)
- ❖ Central Juvenile Defender Center (CJDC)
 - Technical assistance
 - Resource development
 - State assessment of juvenile defense delivery systems
- ❖ Annual juvenile defender training programs in Ohio and Indiana

INDIVIDUAL LEGAL ADVOCACY

Who are our clients?

Children and youth come to CLC for a variety of reasons. Many if not most have experienced poverty, childhood maltreatment and/or trauma exposure, or lack stable supports within their families and communities. Some have received inequitable treatment as a result of their race, ethnicity, sexual orientation or disability. Frequently, they are involved in the juvenile or criminal justice systems, family court, the child welfare system, the mental health system, or they lack access to appropriate education. When we begin the representation of a child, we continue that representation as the child moves into adulthood if our legal assistance is required.

What do our lawyers do?

CLC lawyers identify the risk factors of our young clients and work holistically to resolve the legal issues which brought them to our door, as well as helping youth to better advocate for themselves. Legal issues include:

- Juvenile and Adult Court Issues
- Disruption to the Education Process
- Homelessness
- Family Court Involvement
- Unmet Mental Health Needs

How many children did we represent?

Youth were referred from family, juvenile and criminal courts, schools, social service organizations and other lawyers for help. In FY 2015 we served 510 child clients.

Northern Kentucky- 282
Bluegrass- 112
Eastern Kentucky- 42
Louisville- 33
Ohio- 41

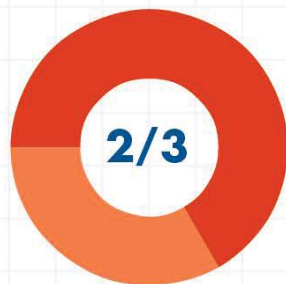
510
Clients served

What we know about our clients:

60%

experienced school related problems needing legal assistance

Nearly two thirds suffered physical, sexual abuse, or mental harm as a presenting problem

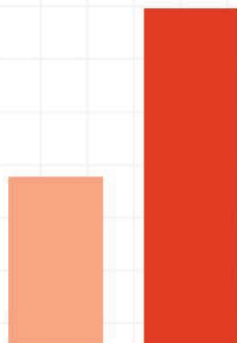


43%

had legal issues directly attributable to poverty such as homelessness, housing, or job related issues

These numbers do not reflect the thousands of children who are impacted by our systemic work every year. Please read on to our Class Litigation and Public Policy sections to learn more.

Two-thirds (2/3) had pending court cases, including delinquency, status offenses, family court, criminal court or incarceration



Read on to learn about two advocacy projects that were piloted in the past year and the impact they have had on our community.

ADVOCACY PROJECTS

NKY HOMELESSNESS PROJECT

The Children's Law Center focused efforts to advocate for youth experiencing homelessness in Kenton, Campbell, and Boone counties in 2014. The National Center for Family Homelessness ranked **Kentucky as the worst state for child homelessness**. During the 2011-2012 academic year, schools in Northern Kentucky reported more than 1,725 school-age children as homeless. The average age of children experiencing homelessness is 9 years old. Youth assisted by the CLC NKY Homeless Project ranged from ages 5 - 21.

Homelessness is defined by the McKinney Vento Act as "any child who does not have a fixed, regular, and adequate nighttime residence." This includes children who: do not live with their legal guardian, those living in hotels, shelters, and substandard housing, and those transitioning from juvenile justice programs or foster care. Children who are homeless have more mental health issues, illnesses, and difficulty in school.

*In a word
homelessness is the
four-dimensional
manifestation of
fear. Homelessness
is not a graveyard,
but a battlefield.*

*Poem by: Cincinnati youth
experiencing homelessness*

Tiffany Smith, in her role as Youth Homelessness Coordinator, conducted outreach, created resource guides for youth for each county and provided assistance and advocacy to youth experiencing homelessness. We also hosted a Youth Homelessness Matters Day Dinner in collaboration with Children's Home of Northern Kentucky. Twenty-eight youth from four local service agencies attended and shared their stories over dinner providing these youth an opportunity to engage with and support each other.

Total youth assisted

13



Pictured above: Tiffany Smith, Esq.

ADVOCACY PROJECTS

RE-ENTRY YOUTH PROJECT

Over 200,000 juveniles and young adults age 24 and under leave state and federal adult prisons, juvenile correctional facilities, residential treatment facilities and age out of foster care and return to their families and communities each year.

Frequently, this is a critical juncture when youth face challenges trying to find housing, employment, pursuing their education, adapting to changes in culture, maintaining needed medical and mental health treatment, reintegrating with family, complying with conditions of probation, and all while making the transition from adolescence to adulthood. It is imperative that communities support youth in every step of reentry and work to provide services and resources that help young people manage life's complexities on their own.



*Youth Reentry Coordinator-
Garien Gatewood*

In 2014, CLC expanded its advocacy to serve youth returning to society from out of home placement. CLC provides direct services to youth returning home including legal representation and education advocacy, advocates for policy changes to better serve the youth, and accepts referrals from the Department of Youth Services, local courts and social service agencies throughout the state of Ohio and Northern Kentucky.

Direct Services

Through reentry planning mechanisms, Garien Gatewood is dedicated to assist youth in a successful transition to their community on a case by case basis. The reentry project currently offers intense services to over **20** individuals and the project continues to grow daily.

Collaboration with Local Communities

Children's Law Center hosted a three part series of reentry forums throughout Ohio this year that served as a springboard for the creation of local youth reentry coalitions around the state. These forums gave stakeholders the opportunity to discuss the challenges of their current response to youth reentering their community, learn about some promising practices, and build stronger collaborative relationships.

CLASS LITIGATION

CLC lawyers continue to use litigation as a tool to transform the systems responsible for the care and treatment of youth and promote systemic policy reforms. CLC has worked to improve conditions of confinement, enhance procedural protections for youth, and provide supportive services for litigation driven by other attorneys and agencies. Children in custody are disproportionately youth of color, and many are diagnosed with mental health or educational disabilities.

S.H. v. Reed:

This class action case, originally filed in 2004 against the Ohio Department of Youth Services, is in its final stages as DYS works to strengthen its mental health system for both males in its own facilities, as well as females in facilities with which it contracts. In May of 2014, DYS entered into an agreement to resolve ongoing disputes regarding mental health, including the use of excessive isolation, including for disciplinary purposes. This agreement also included a resolution of claims filed by the United States Department of Justice. The agreement sets forth provisions which require measures that can strengthen the behavioral health system and reduce violence, lessen the reliance on intervention seclusion and eliminate disciplinary seclusion, and create additional measures for those youth who exhibit frequent behavioral issues.

Matthews et. al. v. Williams et. al.:

In November 2014, CLC attorneys filed a federal civil rights case on behalf of youth in Hamilton County, Ohio, who are arrested and detained without regard for their basic due process rights. The lawsuit alleged that the juvenile court systematically arrested and detained youth without probable cause. The result, the complaint alleged, created harm to youth who were arrested and detained, disrupted their education, employment and family life unnecessarily, and violated their rights under the United States Constitution. The youth plaintiffs in this case seek changes in the juvenile court's policies and practices to ensure compliance with constitutional requirements in issuing warrants and in making probable cause determinations for youth once detained.

J.H. v. Moore:

In October 2014, CLC joined as co-counsel for plaintiffs in a case brought in Federal court against the Multi-County Juvenile Detention Facility based in Lancaster, Ohio. Nine youth alleged that they were systematically mistreated in the facility and placed in solitary confinement and restraint chairs for extended periods. The detention facility holds youth from Perry, Fairfield, Licking and Hocking Counties in Ohio. The youth are seeking are changes in the detention center's seclusion policies and practices.



OTHER IMPACT ADVOCACY

CLC advocacy efforts often result in long term systemic change, such as improvements in school discipline practice. School discipline policies often impact youth of color and youth with disabilities in disparate numbers in our region. CLC attorneys have long challenged school systems to find more positive ways to engage students, minimize school disruption, and increase attendance and performance. We are currently monitoring eight Kentucky school districts with high rates of harsh disciplinary measures in addition to individual advocacy.

- Ending the School to Prison Pipeline: CLC attorneys continue to advocate for ending overreliance on harmful and unnecessary exclusionary discipline practices such as suspension, expulsion, placement in alternative programs and court prosecution for minor offenses. Through continued engagement of school personnel, we have achieved:
 - improved School Codes of Conduct
 - development of restorative justice practices and positive behavior intervention and supports
 - creation of good alternatives for schools and families to support children and families.
- Ending the use of Harmful Restraint and Seclusion Practices: CLC attorneys monitor the implementation of Kentucky's new Restraint and Seclusion Regulations and advocate for youth affected by these destructive practices.
- Improving Kentucky's Alternative Programs: CLC attorneys advocate for full implementation of Kentucky's new Alternative Education Regulations by both tracking data that must now be reported and by advocating for children who are placed in these programs.

PUBLIC POLICY WORK

CLC attorneys continue their advocacy for youth outside the courtroom and traditional legal settings by **engaging in large scale reforms** with all three branches of government – legislative, administrative and judicial – on behalf of youth. These reforms focus either on supporting changes that would have a positive impact on youth or advocating against changes that could negatively impact youth.

In this capacity, CLC has engaged and continues to engage in a variety of efforts, including:

- **Testifying before the legislature or participating in legislative stakeholder meetings on issues affecting youth in the school to prison pipeline or the juvenile or adult criminal justice systems.**
- **Engaging in the rulemaking process on proposed administrative regulation changes by state agencies.**
- **Monitoring and weighing in on changes to juvenile court rules, particularly with regard to full implementation of Kentucky’s new juvenile code and Ohio’s newly expanded right to counsel.**
- **Developing advocacy documents, such as fact sheets and reports, to collect and analyze data and research on issues facing youth as well as inform stakeholders about any changes in the field.**
- **Working with youth and families who become involved in the school to prison pipeline or juvenile justice system to tell their stories and become engaged in the advocacy process.**
- **Working with the media to highlight issues facing youth in news stories and opinion pieces.**
- **Collaborating with community stakeholders and organizations to address challenges for youth, particularly those youth returning to their communities from out of home placements.**

Through its public policy work, CLC also helps to create a stronger voice for youth by working in partnership with other youth advocates, including children’s attorneys and public defenders and other organizations that focus on issues facing youth both at the state and national levels.

PROTECT THE HUMAN RIGHTS OF OHIO'S CHILDREN AND STOP THEIR PLACEMENT IN SOLITARY CONFINEMENT

Stop Solitary for Ohio's Youth is committed to eliminating the harmful practice of secluding youth in adult jails and prisons, state youth correctional facilities, local juvenile detention centers, and residential treatment facilities.

There is no law in Ohio which prohibits the placement of kids in solitary confinement in juvenile or adult facilities. Kids as young as 10, may be kept in cells no larger than a bathroom without windows for 22+ hours a day. Youth in solitary confinement are often denied meaningful programming, education, and recreation contributing to poor outcomes and recidivism.

No matter the age or amount of time placed in solitary, people can experience trauma, hallucinations, and suicidal thoughts. Since youth are still developing, the effects are even more detrimental. A growing number of states and leading organizations, including the American Academy of Child & Adolescent Psychiatry, the United Nations, The Anne E. Casey Foundation, and The American Civil Liberties Union, are against solitary confinement of young people. There are no mandatory guidelines in Ohio for: monitoring facilities that use seclusion; for regulating or reporting its use even for brief periods of time; or protocols for responding to youth who have experienced seclusion.

You can help. Sign our petition to tell Governor Kasich that Ohio youth should not be subjected to solitary confinement and that all facilities that may use forms of seclusion on youth be monitored.

<http://chn.ge/1Osx4Kbgh>



www.childrenslawky.org

SOLITARY FOR OHIO'S YOUTH

CHILDREN'S LAW CENTER

JUVENILE DEFENDER SUPPORT SERVICES

The United States Supreme Court held in 1967 that youth have a constitutional right to counsel in delinquency proceedings under the due process clause of the United States Constitution. Youth who have contact with the delinquency system need to be presented by well-trained juvenile defense attorneys who have the resources and capability to zealously represent them. Skilled juvenile defenders are crucial to protect the rights of youth accused of crimes, as well as to ensure that youth understand the charges against them and advocate for the best possible results.

CENTRAL JUVENILE DEFENDER CENTER (CJDC)

As the regional affiliate of the National Juvenile Defender Center, the Children's Law Center, Inc. houses the Central Juvenile Defender Center. The CJDC focuses on juvenile law issues in Arkansas, Indiana, Kansas, Kentucky, Missouri, Ohio, and Tennessee. The Center coordinates regional activities, including helping to compile and analyze juvenile indigent defense data, facilitating organizing and networking opportunities for juvenile defenders, offering targeted, state-based training and technical assistance, and providing case support specifically designed for complex or high profile cases. Through our defender services, CLC provided:

- Quality continuing legal education to approximately 125 Ohio juvenile defenders
- Quality continuing legal education to approximately 100 Indiana juvenile defenders
- Quality continuing legal education to approximately 30 Kansas juvenile defenders
- Support to train 14 juvenile defenders to become certified JTIP Trainers

JUVENILE DETENTION ALTERNATIVES INITIATIVE (JDAI)

Since 2010, CLC has piloted the Ohio Juvenile Detention Alternatives Initiative (JDAI) Indigent Defense Project. JDAI is a national initiative of the Annie E. Casey Foundation which promotes changes to policies, practices and programs to: reduce reliance on secure confinement, improve public safety, reduce racial disparities & bias, save taxpayers' dollars, and stimulate overall juvenile justice reforms. We focus on engaging defenders in detention reform, providing technical assistance, and improving access to counsel in Cuyahoga, Franklin, Lucas, Mahoning, Marion, Montgomery, Summit, and Trumbull counties. In 2014, the project:

- Conducted system assessments for 3 new JDAI counties
- Provided two training events to approximately 80 local juvenile defense attorneys

PROVIDED OVER 40 CONTINUING LEGAL EDUCATION HOURS

In the 2014-2015 CLC attorneys:

- ❖ Presented at 5 juvenile defender trainings in both Ohio and Indiana
- ❖ Provided 6 hours of training at the 2014 National Juvenile Defender Leadership Summit in Louisville, Kentucky



Our Ohio Juvenile Defender community thinks every child deserves:

- School
- Family
- Love
- Respect
- Equal Rights
- A Justice Oasis
- A Chance
- Justice Under the Law
- A Patient Listener
- To Have Their Voice Heard
- Power of Prepared

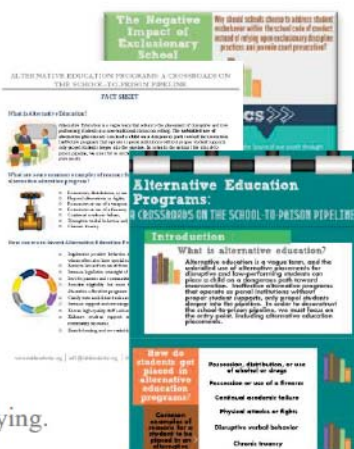
TRAININGS AND EDUCATION

The Children's Law Center recognizes that providing training and education is crucial to successful advocacy work at the individual and the systemic levels. CLC works towards creating a better educated community through publications and presentations through a variety of mediums, as well as training and education of law students and other college students. In 2014 we provided:

Education through Presentations and Social Media

Community education through internet radio shows and social media:

- 6 blog radio shows via our "Spotlight on Youth" blogtalk radio series reaching 601 listeners and hosting over 14 special guests.
- 4 "Quick Take Ohio" shows featuring juvenile justice news in Ohio.
- Daily Facebook posts reaching over 750 individuals, an increase of 300 followers since last year.



Education to Parents, Youth, and Community Advocates

- Provided 2 community education sessions on bullying.
- Held 4 meetings on education rights in Eastern Kentucky.
- Presented at 9 community education events on juvenile reentry issues.

Presentations to Attorneys and other Service Providers

- Presented a session at the statewide Kentucky training on Race, Community and Child Welfare
- Provided 6.0 hours of training at the 2014 National Juvenile Defender Leadership Summit in Louisville, Kentucky.
- Presented training to Kentucky's new FAIR teams which are designed to improve diversionary options for children pursuant to juvenile justice reform.



Issues discussed on ‘Spotlight on Youth’ include:

- Helping Kids Return From Out of Home Placements
- Promoting Healthy Communities Through Violence Prevention
- Removing the Shackles and Helping Kids Succeed
- Pushing Kids Towards Success vs. Pushing Them Out of School

Topics of ‘Quick Take Ohio’ included:

- Sorting Through Fact and Fiction: What’s a Heartless Felon?
- Recognizing the Journey in Ohio’s Juvenile Corrections System
- Ending the Harmful Practice of Solitary Confinement for Youth

To listen to archived shows visit
<http://www.blogtalkradio.com/spotlightonyouth>

BUILDING UP FUTURE LEADERS IN CHILD ADVOCACY

The Children’s Law Center works with law students from Salmon P. Chase College of Law, the University of Kentucky Law School, and the University of Cincinnati College of Law through fellowships and externships. Additionally, social work and criminal justice students from universities both locally and nationally have volunteered and completed internships through the Center.

CHASE CHILDREN'S LAW CENTER CLINIC

The NKU Chase Children's Law Center Clinic is a collaboration between the Children's Law Center (CLC) and Chase College of Law. The Clinic is an educational practice model that allows law students to gain real-world experience representing young clients while being closely supervised by a Chase professor. The Clinic is housed on the third floor of the Children's Law Center's office in Covington and is directed by Amy Halbrook, Esq.

About the Clinic:

Clinic is a one or two-semester program for law students. At the outset, students receive intensive 2-day training on substantive child and family law topics and court processes. Students also tour the local courts and the regional juvenile detention center. As the year goes on, students participate in a weekly classroom component that focuses on child and adolescent development, interviewing and counseling, case theory, negotiation, ethical issues related to representing child clients, and trial skills development. Students and the Clinic professor also participate in case conferencing sessions with the CLC's staff attorneys, taking advantage of their specialized knowledge and skill. In addition to their litigation responsibilities, students participate in research projects, policy pieces and community education.

Once oriented to practice, students are assigned to actual cases. The Clinic professor, the law students and sometimes CLC lawyers share responsibility for cases. With assistance and supervision, students participate in all aspects of cases and serve as counsel in court.

Benefits to Students and Clients:

By participating in the Clinic, students develop skills and abilities necessary to the successful practice of law, including legal research and analysis skills, oral and written communication abilities, creative problem-solving skills, interviewing skills, counseling skills, negotiation skills, investigation skills, litigation strategy, and trial advocacy skills. In class and court, students are exposed to multiple perspectives on justice, fairness and morality and they reflect on attorneys' roles and ethical responsibilities.





“During my experience in the Clinic, I learned that attorneys have many hats. We are problem solvers, social workers, counselors and friends. I was assigned a case in clinic to help a young lady with reentry services. We spoke and met with community providers; developed goals with our client; worked closely with her attorney; and presented a plan to the court for consideration. It was rewarding to see the appreciation in our client’s eyes. I believe that every child and client deserves someone in their corner. The Clinic developed that belief in me on such a profound level that I will always carry it with me.”

Heather Andress
Class of 2015





DANCING WITH THE CLC STARS



ANNUAL FUNDRAISING EVENTS

SINCE OUR LAST ANNUAL REPORT WE HAVE HOSTED TWO DANCING WITH THE CLC STARS COMPETITIONS AND FUNDRAISING EVENTS. WE ARE GRATEFUL FOR OUR TALENTED DANCING STARS AND SUPPORTERS WHO MAKE THIS EVENT A HIT.



ON MAY 22, 2014:
WE CELEBRATED 25 YEARS
AND RAISED MORE THAN
\$67,000.



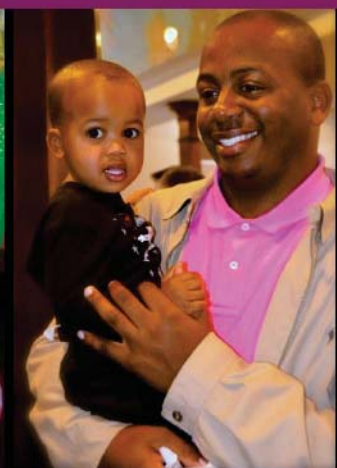
ON MAY 28, 2015:
WE EXCEEDED OUR
FUNDRAISING GOAL BY
RAISING \$85,000.



ENSEMBLE THEATRE CINCINNATI

Every year, CLC partners with Ensemble Theatre Cincinnati for the holiday fun and fundraiser. We raised over \$4,500 in 2014 and were able to distribute 176 tickets of which 86 were donated to local groups and families including individuals from the Family Nurturing Center, Woman's Crisis Center and Lighthouse Youth Services.

This event is dedicated to Mary Fisher.



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