

IN THE SUPERIOR COURT OF PENNSYLVANIA
SITTING IN PITTSBURGH

Superior Court No. 257 WDA 2006

IN THE INTEREST OF A.B., A MINOR

APPEAL OF ALLEGHENY COUNTY OFFICE OF CHILDREN, YOUTH & FAMILIES

Appeal from the Order of the Honorable Edward Borkowski, entered November 16, 2005, in the
Court of Common Pleas of Allegheny County, Pennsylvania,
Family Division – Juvenile Section at Docket No. 956-01

**Brief of Juvenile Law Center; Covenant House of Pennsylvania; Education Law Center of
Pennsylvania; Lawyers for Children, Inc.; Youth Law Center; Mark E. Courtney; and
Frank F. Furstenberg as
AMICI CURIAE
In Support of Appellee**

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APPENDIX A
IDENTITY OF *AMICI CURIAE*

Organizations

Juvenile Law Center (JLC) is one of the oldest public interest law firms for children in the United States, founded in 1975 to advance the rights and well being of children in jeopardy. JLC pays particular attention to the needs of children who come within the purview of public agencies – for example, abused or neglected children placed in foster homes, delinquent youth sent to residential treatment facilities or adult prisons, or children in placement with specialized services needs. JLC has for many years focused its attention on how the juvenile justice and child welfare systems can assist youth who are aging out of state care. JLC has disseminated several publications on this topic, including *Dependent Youth Aging Out of Foster Care in Pennsylvania: A Judicial Guide* (Pokempner and Rosado, 2003), which was adapted for judges across the United States, *Dependent Youth Aging Out of Foster Care: A Guide for Judges* (Pokempner and Rosado, 2003). JLC recently published *Pennsylvania Judicial Deskbook: A Guide to Statutes, Judicial Decisions and Recommended Practices for Cases Involving Dependent Children in Pennsylvania* (Field, 2004).

Covenant House is an international agency. The mission of Covenant House is to serve homeless and runaway youth under the age of 21. Covenant House began operating in Philadelphia in June . Covenant House provides a full range of services, including shelter, to more than 1,000 young people. At least 30% of these youth were involved with the child welfare system and under the age of 21.

The opportunity for continued support from the courts, foster care system and related systems through the age of 21 would have helped prevent many of these youth from falling into homelessness and needing support services from Covenant House. Many of the youth who seek services at Covenant House are limited academically and this diminishes their opportunities for long-term success. Covenant House supports any opportunity for support that allows academic growth. Covenant House Pennsylvania believes that when the State takes custody of a dependent youth, the State should support that youth during the transition from foster care to a future of self reliance and interdependence.

Education Law Center (ELC) is a public interest law firm that advocates on behalf of Pennsylvania public school students and their families. Our mission is to improve education achievement for those children most at risk of school failure. Over the last several decades, a major ELC focus has been education for children in foster care. In our experience, these children experience innumerable barriers to securing appropriate education services. Many studies, including an ELC report entitled *Lost in the Shuffle*, describe those barriers and the consequent low education performance and reduced life expectations. We are participating as amicus in this case because we believe that it will give these students, who have been so ill-served

educationally and otherwise, a better chance to learn, graduate, and succeed in their future education and employment.

Lawyers for Children, Inc. (LFC), established in 1984, is a leading not-for-profit law firm dedicated to protecting the rights of individual children in foster care and compelling system-wide child welfare reform in New York City. Every child represented receives free legal and social work services in cases involving foster care, abuse, neglect, termination of parental rights, adoption, guardianship, custody and visitation. Since its inception, LFC has represented well over 30,000 children. LFC is particularly interested in the issues raised by this case as a significant number of our clients are adolescents, like K.B., who are making the transition to adulthood. Over the course of LFC's representation of thousands of such young people, we have found that, where appropriate, their ability to continue in foster care until at least the age of twenty-one is absolutely critical to ensuring successful development of productive and healthy adults. Additionally, LFC, along with two other New York based advocacy groups, published a groundbreaking and widely received report, *Time Running Out: Teens in Foster Care*, regarding older youth in foster care. Our research firmly established that continued support of the courts, the local child protective bureau, foster care provider agencies and other interested adults provides an invaluable safety net for young people aging out of foster care.

The Support Center for Child Advocates (Child Advocates) provides legal assistance and social service advocacy to abused and neglected children in Philadelphia. Child Advocates' lawyers and social workers advocate to ensure safety, health, appropriate education, permanency and access to justice for all the children committed to Child Advocates' care. In their advocacy, Child Advocate attorneys and social workers witness the negative effects of a child welfare system that often does not adequately prepare or support youths for the transition to adulthood.

The Youth Law Center (YLC) is a national public interest law firm with offices in San Francisco and Washington, DC, that has worked since 1978 on behalf of children in child welfare and juvenile justice systems. YLC has worked with judges, social workers, Department of Social Services administrators and staff, policymakers, and public officials in California and throughout the country to improve child welfare systems. YLC is particularly interested in the circumstances of children who "age out" of foster care and require continuing support, especially for completing their education. YLC has been a major supporter of federal and state legislation to provide educational stability for children in the child welfare system, and has worked with DSS and education officials to provide such stability in California, Virginia, and other states.

Individuals

Mark E. Courtney, Ph.D., is the Director of the Chapin Hall Center for Children and an Associate Professor in the School of Social Service Administration at the University of Chicago. Dr. Courtney previously served on the faculty of the University of Wisconsin-Madison. Before moving into academia, he worked for several years in various capacities providing group home care to abused and neglected adolescents. He has served as a consultant to the federal government, departments of social services in several states and to local public and private child welfare agencies around the country. Much of Dr. Courtney's research has focused on outcomes of out-of-home care placement including the post-discharge well-being of youth who "age out" of foster care. In the 1990s, he conducted the Foster Youth Transitions to Adulthood study in Wisconsin, which followed the progress of 141 Wisconsin foster youth from age 17 to 21 as they aged out of the foster care system in that state. He is currently in the midst of the Midwest Evaluation of the Adult Functioning of Former Foster Youth, which is following 732 foster youth in Illinois, Iowa, and Wisconsin as they make the transition from state care towards independent adulthood. He has authored numerous articles in professional journals and is co-author of *Unfaithful Angels: How Social Work Has Abandoned Its Mission* (New York: The Free Press, 1994) and *From Child Abuse to Permanency Planning: Child Welfare Services, Pathways, and Placements* (New York: Aldine de Gruyter, 1994).

Frank F. Furstenberg, Ph.D., is the Zellerbach Family Professor of Sociology at the University of Pennsylvania. Dr. Furstenberg is also the Director of the MacArthur Foundation Research Network on Transitions to Adulthood which examines the changing nature of adulthood, and the policies, programs, and institutions that support young people as they move into adulthood. The Network is both documenting these cultural and social shifts and exploring how families, government, and social institutions are shaping the course of young adult's development. The Network is currently developing policies related to vulnerable populations of young adults. A team of researchers from many different institutions are conducting a related series of analyses of data such as Add Health, NLSY, PSID, and NSFH to investigate the multiple paths to adulthood. At the same time, a team of qualitative researchers is looking at how adults in five different sites around the country are interpreting their life experiences. The aim is to understand how young adults manage and particularly to examine how schooling, work, family, and community institutions affect the transition to adulthood. The Network has extended the research to a focus on vulnerable populations: those leaving foster care, those leaving juvenile justice or prison, those with special health needs, homeless youth and others. This research is forthcoming from the University of Chicago Press in *On Your Own Without a Net*. Much of Dr. Furstenberg's research focuses on the family in the context of disadvantaged urban neighborhoods, cross-national research on children's well-being, life course studies and the transitions from adolescence to adulthood. He has authored numerous articles in professional journals and is co-editor of *On the Frontier of Adulthood: Theory, Research, and Public Policy* (University of Chicago Press, 2005).