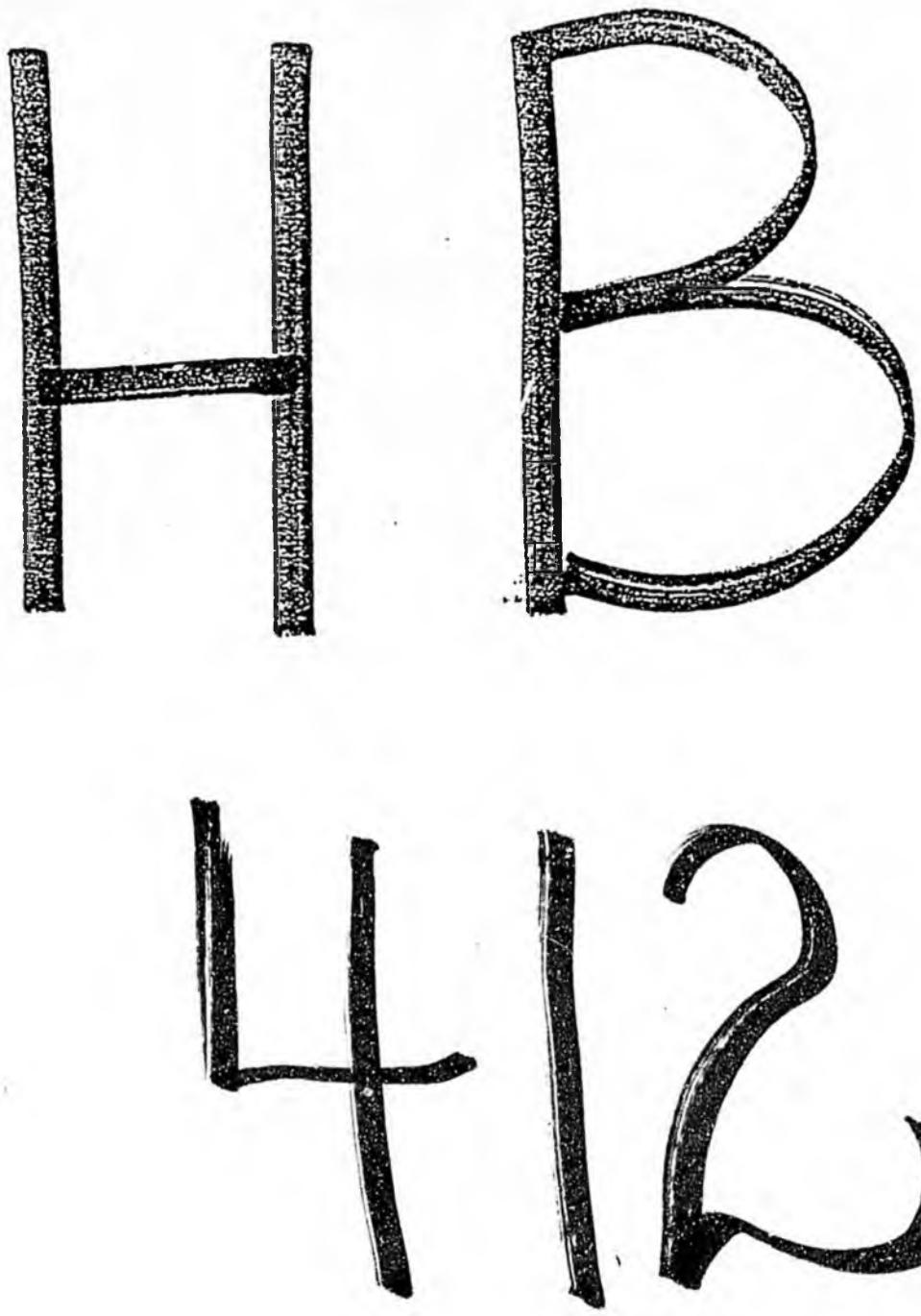
HB
412

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

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May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

House Judiciary:

3-17-88

3-22-88

3-30-88

POSITION PAPER/Department of Health & Social Services

POSITION PAPER

HOUSE BILL NO. 412

For an Act entitled: "An Act relating to the pre-emancipation services for certain minors."

House Bill No. 412 would require the Department to provide a full range of pre-emancipation services to youths 16 years of age or older to facilitate their transition to full adult independence. It would also establish authority necessary to provide such services. Specifically the bill would:

1) require the Department to provide pre-emancipation services to any youth age 16 or older who requested the service;
2) authorize extension of Departmental custody beyond a youth's nineteenth birthday in order for the youth to continue receiving pre-emancipation services;
3) authorize the Department to utilize supervised independent living situations as placement alternatives for youth committed to Departmental custody;
4) authorize the Department to grant or to contract with municipalities or private non-profit organizations for the provision of pre-emancipation services.

Needs Addressed by HB 412

Most youth in our society have the opportunity to acquire the knowledge and skills necessary for successful independence gradually throughout childhood and adolescence. And for most youth the transition to full independence is also accomplished gradually and with the support and assistance of parents or parent substitutes. For youth in state custody and for those youth who are informally emancipated this type of gradual training and transition cannot or does not occur either because or statutory or funding limitations or because of a lack of needed services.

Informal preparation for independence does occur as a part of foster care and residential care placements for older youths in state custody. However, this is not an area of primary focus nor does it follow a special curriculum to ensure its completeness or effectiveness. Foster parents and residential care staff are not generally trained specifically to prepare youths for informal living and there are no mechanisms available to provide for support for the final phases of the transition to independent living.

DEPARTMENT POSITION

The Department has long recognized the need to provide better transition services for children leaving state custody and for other youth who do not have the transition support traditionally provided by parents. The

POSITION PAPER/Department of Health & Social Services

Department supports the intent of House Bill 412 to address this need. However, there is a need to better define the population of youth for whom the services are intended.

Not all youth who might request pre-emancipation services under the language of the bill would benefit from or be appropriate to receive the services. The current language would not allow the Department flexibility to establish criteria for determining the appropriateness of service. It would require the service to be provided to any youth age 16 or older upon request. Not all children who reach the age of 16 years are ready or appropriate for emancipation services. The appropriateness of a child for pre-emancipation services and the specific services to be provided should be determined on the basis of established criteria in conjunction with the case plan for the individual child. The Department recommends that the bill be amended to provide sufficient administrative flexibility in determining eligibility for pre-emancipation services to accommodate the realities of appropriations provided for the services.

The Department also suggests that the scope of services to be provided be better defined in the bill or that language be structured to provide the Department flexibility in determining the services to be provided. Currently, a variety of programs are being offered in several states which would provide the linkages that are essential for a relatively smooth transition from childhood to adulthood. One of the essential elements in successful programs is a continuum of services. This ensures that the youth do not miss any of the phases, and that the progress to independent living and adulthood is one of gradual preparation, assuring a higher degree of success.

Attached is a chart which outlines the various types of services in the continuum toward independent living which are generally offered in other states. Estimated costs of providing these services to children in the custody of the Department as well as to children outside of state custody are included.

RECOMMENDED: Yvonne M. Chase

Yvonne M. Chase, Director
Division of Family
and Youth Services

DATE: 2/17/88

APPROVED: Myra M. Munson

Myra M. Munson, Commissioner
Department of Health
and Social Services

DATE: 2/17/88

Continuum of Services	Informal Independent Living Concepts	Formalized Training Programs	Supervised Practice Living	Self-Sufficiency (After-Care)
Type of Service	Placement in substitute care (Residential or foster care) with the intent of encouraging youth to be involved in decision making, problem solving, and everyday tasks. (Existing Service)	DFYS has a small federal grant ($6000) to purchase a training curriculum for for youth and their caretakers to work through together. Some skill handling programs already exist in Alaska, but need to focus on this special population of youth.	Both residential care and foster care providers can be trained to work with this population.	Two items of importance here: 1) Only youth who have been through the first three phases should be accepted into these programs; 2) An independent living subsidy (either offered or being developed by 27 states) assists the youth in making the transition to independent living.
Serving All Eligible Children (Total Estimate)	If youth is not in substitute care, independent living seminars would need to be developed and run by private provider. Cost estimate based on 100 children annually. $20,000.	Cost estimate based on 45 youth in a formal skills development program for one year. $45,000.	Some new program development needed here. Cost estimate based on 60 children annually. $540,000. (Average cost of $9,000. annually per child)	Subsidy estimate based on 31 youth, each with a subsidy for one year. (Average of $750/month with greater subsidy initially decreases during the year) $279,000.
Serving Children In State Custody (Total Estimate)	Existing Service - No Additional Cost	Purchase of training materials covered by federal grant; DFYS will provide training to foster parents. (No additional cost)	Cost estimates based on 50 children annually, using same cost per child as those in state custody. $450,000.	Estimate based on 26 children with a subsidy for one year. $234,000.

(7)

Date referred: 2/22/88 FURTHER REFERRALS:

DATE: March 30, 1988

The Judiciary Committee has considered HB 412

"An Act relating to the pre-emancipation services for certain minors."

RECOMMENDS:

[✓] replace with CS HB 412 (HESS) [✓] the same title

[ ] attached amendment(s) [ ] a new title

[✓] do pass

[ ] do not pass

[ ] no recommendation

[ ] individual recommendations

[✓] additional referral to the Finance

Fis. Note FIN?

ADOPTS: [ ] ______ letter of intent

ATTACHES NEW FISCAL NOTE(s):

[ ] fiscal impact

[ ] zero fiscal note

[ ] zero with analysis

[✓] same as previous fiscal note published 2/22/88

[ ] same as previous zero fiscal note published ______

SIGNING DO PASS:

[signatures]

Mike Miller

SIGNING OTHER RECOMMENDATIONS:

[signature]

Chairman's Signature

MAR 24 1988

Angela Salerno
1727 Talkeetna St.
Anchorage, AK 99508
March 21, 1988

Representative John Sund, Chair
House Judiciary Committee
Pouch V
Juneau, AK 99811

Re: HB 412- Pre-emancipation Services for Certain Minors

Dear Representative Sund,

I write this letter to strongly urge you to endorse HB 412 which would enable DFYS to extend supervision of a minor in order to provide pre-emancipation services, services which have as their goal independent and productive living.

The bill addresses the special needs of adolescents in State custody who will not or cannot return to their birth family, and for whom traditional services have been unsuccessful. These are youth who have been in the child protection system a long time, in detention or in a series of foster homes, (and data gathered by DFYS in 1985 reveal adolescents do poorly in foster care and thus have multiple placements, but still over half of all children in placement in Alaska are teens) or who enter the system as runaways or castaways. This group can profit from transitional living services designed to teach the adult skills they may have never learned in McLaughlin or in a neglectful or abusive home.

To endorse this bill is to recognize the State's duty to provide additional services to this special population. Moreover, this bill addresses the overall mission of the Governor's Interim Commission on Children and Youth, economic self-sufficiency for Alaska's young people, and would as well implement one of the Commission's specific recommendations, legislation which would allow for placement of youth in supervised independent living programs. Pre-emancipation services could be the last State intervention needed by certain troubled youth, prevention measures you must endorse by support of this bill.

As a student intern with the office of Rep. Johnny Ellis I had the opportunity to work closely with the House HESS Committee during the research and drafting of HB 412. Should you or your staff have need for further information concerning the provisions of this bill, or if I can answer any questions, please feel free to contact me.

Sincerely,

Angela Salerno

Angela Salerno

THE COURT OF APPEALS OF THE STATE OF ALASKA

LARRY JAMES CARTER,

Appellant,

v.

CHRISTINE KAREN BRODRICK,

Appellee.

File No. A-1333

OPINION

[No. 788 - March 4, 1988]

Appeal from the Superior Court of the State of Alaska, Third Judicial District, Anchorage, Victor D. Carlson, Judge.

Appearances: Jacqueline Bressers, Assistant Public Defender, and Dana Fabe, Public Defender, Anchorage, for Appellant. David Mannheimer, Assistant Attorney General, Office of Special Prosecutions and Appeals, Anchorage, and Grace Berg Schaible, Attorney General, Juneau, for the State of Alaska, as amicus curiae.

Before: Bryner, Chief Judge, Coats and Singleton, Judges.

BRYNER, Chief Judge.

Larry James Carter was convicted of contempt following a non-jury trial before Superior Court Judge Victor D. Carlson. Judge Carlson sentenced Carter to a term of six months' imprisonment with three months suspended. The contempt charge arose from Carter's failure to comply with the court's child custody order. Pursuant to the direction of the superior court, the contempt was prosecuted by the attorney

representing Carter's former wife -- the aggrieved party in the underlying civil case. Carter appeals, contending that the trial court erred in requiring him to testify and in applying the preponderance of the evidence standard to determine his guilt. Carter also contends that the trial court erred in directing that the case be prosecuted by the opposing party in the underlying civil case. We reverse.

Whether a contempt action is civil or criminal in nature depends upon the character and purpose of the proceeding. Johansen v. State, 491 P.2d 759, 763-65 (Alaska 1971). Civil contempt proceedings are by nature remedial: their goal is to coerce litigants to comply with the lawful orders of the court in order to remedy harm occasioned to other litigants by the noncompliance. Id.; Gwynn v. Gwynn, 530 P.2d 1311 (Alaska 1975). Persons incarcerated for civil contempt are not sentenced to definite terms of imprisonment. Rather, they "carry the keys of their prison in their own pockets." In re Nevitt, 117 F. 448, 461 (8th Cir. 1902). By agreeing to comply with the court's order, they may purge themselves of contempt and be released. Johansen, 491 P.2d at 766.

In contrast, criminal contempt proceedings seek to punish violations that have already occurred. Id. They are in essence punitive and not remedial. Gwynn, 530 P.2d at 1312-13; L.A.M. v. State, 547 P.2d 827, 831 (Alaska 1977). Because a criminal contempt proceeding seeks to punish past disobedience, future compliance will not purge the contempt. See Webber v. Webber, 706 P.2d 329 (Alaska App. 1985). Thus, a characteristic feature of a criminal contempt proceeding is that it is punishable by a definite term of imprisonment. Johansen, 491 P.2d at 764-66. "[C]riminal contempt [is] a crime in every fundamental respect because it 'is a violation of the law, a public wrong which is punishable by

fine or imprisonment or both.'" State v. Browder, 486 P.2d 925, 934 (Alaska 1971) (quoting Bloom v. Illinois, 391 U.S. 194, 201 (1968)).

A contempt that occurs outside the presence of the court is said to be indirect; one occurring in the court's presence is a direct contempt. See West v. District Court, 575 P.2d 797 (Alaska 1978). Under the Alaska Constitution, however, little distinction is drawn between direct and indirect criminal contempt. A person charged with either direct or indirect criminal contempt is entitled to the same procedural rights that exist in other classes of criminal prosecution. Browder, 486 P.2d at 939-40. See also Bloom v. Illinois, 391 U.S. at 201. Every element of a criminal contempt must be proved beyond a reasonable doubt, and the accused cannot be compelled to render testimony that might be self-incriminatory. Gompers v. Buck's Stove & Range Co., 221 U.S. 418, 420 (1911); Continental Insurance Cos. v. Bayless & Roberts, Inc., 548 P.2d 398, 407 (Alaska 1976).

In the present case, there is little question that Carter was convicted of criminal contempt: the purpose of the proceedings below was to punish him for his past failure to comply with a visitation order, and, upon finding Carter guilty, the superior court imposed a definite term of imprisonment. Despite the criminal nature of the proceedings, the superior court applied the preponderance of the evidence standard in determining Carter's guilt. The court also required Carter to testify as the prosecution's chief witness, thereby depriving him of his right against self-incrimination. In so doing, the court relied on Johansen v. State, 491 P.2d 759 (Alaska 1971). Its reliance on Johansen was mistaken.

While Johansen was a contempt proceeding for nonpayment of child support, the case dealt exclusively with what has been traditionally

regarded as civil contempt -- a contempt proceeding whose purpose was to coerce future payment rather than to punish for past failure to pay. 481 P.2d at 766. The court in Johansen noted some potential difficulties in treating civil contempt cases for failure to pay support as entirely noncriminal for procedural purposes. Accordingly, the court struck a balance, conferring some, but not all of the benefits of a formal criminal proceeding upon individuals charged with civil contempt in such cases. Id. at 766-67. The court in Johansen expressly recognized, however, that when a nonpayment of support case is prosecuted as a criminal contempt, "the defendant would have to be afforded full procedural safeguards." Id. at 766 n.27.

Because the present case was prosecuted as a criminal contempt, we conclude that the superior court erred in depriving Carter of his right against self-incrimination and in applying the preponderance of the evidence standard to his case. We further conclude that these errors require reversal of Carter's conviction. See Delaware v. VanArsdell, ___ U.S. ____, 106 S.Ct. 1431, 1437 (1986).

Carter has also argued that the trial court erred in permitting the contempt action to be prosecuted by the attorney who represented his former wife. Carter relies on the United States Supreme Court's recent ruling in Young v. United States ex rel. Vuitton Et Fils S.A., ____ U.S. ____, 107 S.Ct. 2124 (1987).

In Rollins v. State of Alaska ex rel. Municipality of Anchorage, ____ P.2d ____, Op. No. 769 (Alaska App., January 13, 1988), this court, in light of Young, expressed concern about the wisdom of routinely appointing, as prosecutor in a criminal contempt action, counsel for the aggrieved party in the underlying civil litigation. We nevertheless

declined to apply Young to the circumstances in Rollins, because the party appointed to prosecute that case was not a private party, but, rather, was the Municipality of Anchorage, a governmental body that was duly authorized to and, in fact, regularly did perform the functions of a public prosecutor.

This case, in contrast, presents a far more difficult issue, because it involves a prosecution by a private party. However, Carter did not object below to the superior court's order appointing his former wife's counsel to prosecute the case, and the superior court did not have the opportunity to consider its appointment in light of the Supreme Court's decision in Young. Because Carter's conviction must be reversed on other grounds, we believe it preferable to allow the superior court an opportunity to consider in the first instance the conflict issue raised by Young. In the event of a retrial, the superior court should give due consideration to Young and Rollins in resolving the question of appointing a prosecutor for this case.

The conviction is REVERSED.

Alaska State Legislature

Please enter into the record my testimony to the House Judiciary committee name

committee on HB 412 bill/subject, dated March 22, 1988.

The Alaska Chapter of National Association of Social Workers supports HB 412 and encourages its passage into law.

Signed: Sharon Tamony
Marsha Schneider, Executive Director
Testifier

NASW
Representing (Optional)

PO Box 10430 Fairbanks 99710
Address

457-5914
Phone No.

9/88 Legislative Information Office

(2)

Stepping Out of Foster Care Into Independent Living

15(2)

by Eileen Mayers Pasztor, Jean Clarren, Elizabeth M. Timberlake and Linda Bayless

Although the overall foster care population continues to decrease, the proportion of adolescents in foster care has increased to the point that adolescents now comprise nearly half of the foster care population as compared to 20 percent a decade ago. Moreover, a large number of youths are remaining in the foster care system until the legal age for emancipation.[1]

To address the needs of older youths in foster care, the Children's Bureau, ACYF, funded a project in 1983 designed to prepare older adolescents to move out of foster care into responsible living. The project, entitled "Stepping Out Of Foster Care Into A More Self-Sufficient Independent Living Network," was conducted by the Baltimore County Department of Social Services.[2] In addition to accomplishing its primary objective, the research and demonstration project realized three secondary objectives: It combined resources from the public social service, the business and the academic sectors to meet local needs and reduce a potential drain on community resources; it integrated aspects of the model into agency policy and service delivery to youth and families; and it assessed the replicability of the model by other agencies and communities. In addition to the authors, core project staff included three child welfare associates from the National Catholic School of Social Service: Deborah Brittain, Jane Park Cutler, D.S.W., and Judith Sheagren.

Project Stepping Out focused on increasing adolescents' competence in performing daily life management tasks, using resources to achieve economic self-sufficiency, improving social skills and developing psychosocial coping strengths. Based on an understanding of late adolescence as a transition period, the project sought to enhance the fit between the youths and their future social environment. Project social workers emphasized strengths and needs and provided "thinking," "feeling" and "doing" opportunities with respect to adult role functioning and social networking.

For adolescents who had experienced stressful life situations, uprooting and developmental difficulties, the project forged social support networks, which functioned as sources of support and encouraged the sharing of goods and services. Through these networks, the youths learned survival strategies, values and skills necessary for accomplishing developmental tasks.

Target Population

Project Stepping Out provided services to 31 adolescents in family foster homes and group homes. The youths ranged in age from 15 to 20, with an average of 17.1 years. There were slightly more females (54.8 percent) than males, and two-thirds of the youths were white and the remainder black. Academically, 45.2 percent were performing at a below average level, 35.5 percent at an average level and 19.4 percent above average. Ninety percent were attending school, with 38.7 percent in the 11th or 12th grades. Three-quarters of the youths said they had previous work experience, but only a little more than a quarter had held a part-time job over four months.

Their time in foster care ranged from two months to 20 years, with an average of 6.5 years in care and 2.4 placements. Sixty-one percent were initially placed during adolescence, usually between the ages of 14 to 16 years. At the time of the project, the youths had established few bonds with their birth families. Half saw their birth mothers less than several times a month, and almost half had no contact with their fathers. Although the majority had birth siblings, only one-quarter lived in a foster care situation with a sibling.

Almost half (48.4 percent) of the youths remained in care because of behavioral, health or intellectual problems related to the child. The majority, however, remained in care because of such family-related reasons as abandonment, family inability to plan and follow through, danger of abuse or neglect, financial or housing problems and a parent who was under arrest or who had a physical or mental illness.

Service Delivery

Six service components were used to meet the project's objectives:

Project social workers. Three graduate students and three agency child welfare workers were assigned to Project Stepping Out on a part-time basis. They provided each young person with regular agency social work services as well as the project's special intervention services. Prior to the project's implementation, the service providers participated in a 28-hour training program presented by Nova University's Institute for Social Services to Families, and they received ongoing training, supervision and consultation from a field instructor provided by Catholic University's National Catholic School of Social Service.

Strengths/Needs Assessments. Adolescents' strengths and needs were explored in the areas of special interests, social and personal assets, education and employment, support systems of family and friends, values and attitudes, physical and mental health, and emancipation plan.

One assessment tool used by the adolescent and social worker was the life space diagram, which uses symbols to create a picture of the young person's experiences and feelings (on the diagram, a circle symbolizes a person, a square indicates a place and a triangle represents a situation).

For example, Jack—who had been suspended from school for fighting—drew a life space diagram that contained circles representing himself, his classmate-sparring opponent and his teacher; a triangle symbolizing the problem of suspension for fighting, and a square signifying school. In the process of drawing the diagram with his social worker, Jack was able to perceive how his anger concerning the fight that led to his suspension was related to the underlying problem of conflicts with his brother, which he viewed as the cause of his own placement in foster care. Jack realized then that his angry feelings and striking out at friends represented "baggage" from the past that he carried in the present.

By contrast, another assessment tool, the life history chart, provided an opportunity for the adolescents to probe earlier experiences with their birth families, reasons why they had entered and remained in foster care and their experiences in care.

Together, these tools enabled the youths to review the past, examine the present and plan for the future.

Task Groups. These groups, co-led by project and agency staff, included six to 12 young people who identified, discussed and practiced skills for independent living. In a session on goal identification and planning, for example, youths discussed preparation for such occupations as veterinarian, beautician and construction worker. Activities in related sessions focusing on job search, career development and maintaining employment included resume writing, practice in asking a work supervisor for assistance and discussion of how to dress appropriately for work.

A session on daily living skills stressed practice in renting an apartment, writing checks and grocery shopping, while another on social networking centered on enhancing the youths' skills in meeting and keeping friends, living with roommates, reconnecting with birth parents and siblings and maintaining ties with foster families.

One-Day Workshop. The workshop, conducted by project and agency staff, was designed to compress the knowledge and skills learned in the task groups into an extensive examination of three primary topics: housing, vocational skills and independent living skills. The youths divided into small groups that rotated among the three discussion topics, and afterwards, they prepared and shared a meal—which, participants agreed, was a highlight of the day.

Volunteers. Adults to act as role models or mentors were recruited from local civic clubs and businesses to work with adolescents who needed a one-to-one relationship with a mature, responsible adult. Volunteers completed a 4-hour training program—conducted by the Baltimore County Department of Social Service's volunteer coordinator, the National Catholic School of Social Service's volunteer trainer and a Nova University Institute for Social Services to Families trainer—to prepare them to support the adolescent's growth toward autonomy and to teach remedial skills in selected areas.

One young person in residential care was able to be discharged into family foster care because a volunteer provided transportation for the youth to out-patient treatment. Another adolescent, who found a job in a bakery, practiced making change with his volunteer while a third youth worked with her volunteer to make a new dress.

Apprenticeships. Community leaders were asked to approach potential apprenticeship providers on behalf of the project in general as well as individual youth. Profiles that included information about the young person's interests, strengths and needs regarding employment were shared with potential employers. The project was able to generate six additional apprenticeships apart from fast food services and the usual community summer employment, but only two-thirds of the youths who wanted jobs were able to obtain them. Two of the youths were placed in jobs through existing community projects.

Implementing the Project

During the 9-month period of service delivery, each of the 31 adolescents participated in an average of three of the six service components. To assess the impact of these services, researchers from the National Catholic School of Social

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Eileen Mayers Pasztor, who was co-director and trainer for Project Stepping Out under the auspices of the National Catholic School of Social Service, Catholic University of America, and Nova University's Institute for Social Services to Families, is currently a Child Welfare Associate with the Child Welfare Institute, Atlanta. Jean Clarren, the project's principal investigator, is Assistant Director for Child Welfare, Baltimore County Department of Social Services, Towson, Md. Elizabeth M. Timberlake, D.S.W., the project's principal researcher and program consultant, is Associate Professor, National Catholic School of Social Service, Washington, D.C., and Linda Bayless, Ph.D., the project's curriculum developer and trainer, is Assistant Director, Institute for Social Services to Families, Nova University, Fort Lauderdale, Fla.

Service compared the project participants with a control group of 29 adolescents who were also in the foster care program of the Baltimore County Department of Social Services but were not receiving project services. To control for the influence of possible differences between the two groups, a pre- and post-test design was used. The experimental group's growth was measured by a psychosocial functioning scale and an emancipation social functioning scale.[1]

On the emancipation social functioning scale, the difference between the experimental and control groups was substantial. Adolescents receiving project services achieved significantly more growth in the social functioning skills needed for emancipation, as measured by their total score in the areas of independent living, employment and social network skills, than did those adolescents who received no project services.

On the other hand, the percent of difference between the two groups on the psychosocial functioning scale was not significant. Adolescents participating in project services did not grow significantly in psychosocial functioning as measured by eight indicators: self-image, peer relationships, adult relationships, self-control, motivation, handling the learning demands of school and home, learning style and expression of feelings.

Impact on Adolescents

That the experimental group achieved substantially more positive changes than the control group in social functioning was not surprising for a variety of reasons. Five of the services focused primarily on the knowledge, values and skills basic to social functioning after emancipation. Since the social functioning tasks and skills necessary for sorting out early career interests, functioning well on the job and handling day-to-day experiences are concrete, they are probably learned and incorporated early.

Experiences dealing with employment skills and issues are also likely to capture the young person's interest, since jobs and spending money are considered both current and future needs. Nor should satisfaction derived from the immediate monetary rewards of the job be overlooked. While their actual skill development in the areas of employment, independent living and social networking may have been slight, these youths perceived themselves as having grown in their ability to step out of foster care into independent living.

The lack of significant, positive changes in the general level of psychosocial functioning was disappointing but not surprising, since only the social work service component addressed psychosocial issues as well as issues related to social functioning and coping with independent living. The foremost reason for this lack, however, was that the project was designed to meet the short-term goal of preparing adolescents for independent living rather than addressing their residual developmental conflicts and problems. Given the youths' vulnerability, the psychosocial developmental tasks inherent in the transition from foster care to independent living take on special significance for them and require more than short-term social work remediation and personal growth.

Impact on the Agency

The six service components have been integrated into agency policy, programs and practices to varying degrees. The need for a core unit of social workers with specialized training to provide individualized services and mobilize supplementary resources for older youths in foster care has been clearly identified, and Baltimore County has an established Specialized Adolescent Program Unit which provides most of the Stepping Out service components. For agency staff with clients not served by the Specialized Unit, the project offered some exposure to the knowledge, values and skills basic to competence-oriented emancipation services. Thus,

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Although the adolescents responded well to the task groups, this component is difficult to incorporate into standard agency service delivery because of scheduling and transportation problems. While it is also difficult to coordinate transportation for youths who participated in the one-day workshop in independent living skills, agency staff members felt that evaluations from the workshop were positive enough to replicate this service periodically.

Although there were fewer volunteers than desired, agency staff believed the volunteers were positive role models for the youths and, as a result, the agency volunteer coordinator is establishing a volunteer mentorship program for adolescents in foster care. As with the volunteers, there was a scarcity of apprenticeships. Because time constraints hampered the project's community liaison efforts to set up apprenticeship opportunities, most jobs came from an established county program for youths with special needs.

Replication

Although the project's combination of resources was quite effective in meeting the needs of the target population, there were organizational, scheduling and transportation problems that developed when service providers were brought in from the outside. Overcoming these obstacles required great expenditure of time and effort that is cause for concern in setting up future service delivery programs. While the project's emancipation services achieved positive results, the age-old child welfare dilemma of time, cost and staff remains to inhibit replication.

Recommendations

Both the positive outcomes and barriers encountered in service delivery have implications for future foster care policies, programs and practices. These implications are the basis for the following recommendations.

- To help move youths in foster care into independent living, agencies need to provide the six service components of Project Stepping Out. Agency social workers, for example, need specialized caseloads and training to provide individualized services and mobilize resources for older youths in foster care. Instead of focusing on problem-oriented assessment and intervention, the emphasis should be on each adolescent's strengths and needs. To make task groups and workshops accessible as well as available, agencies need to develop support systems to solve scheduling and transportation problems. Agency staff should also invest time and energy in community development, education and liaison activities to mobilize apprenticeship and volunteer resources.
- Agencies need to create training programs for foster parents that would provide information about the developmental needs of older adolescents in foster care and the goals of independent living. Such programs have to teach skills that would prepare foster parents to support adolescents' growth toward self-sufficiency, as well as skills for working with volunteers and other community resources available to youths in foster care.
- Since service providers have been sensitized to issues of separation and loss, and identity development and emancipation, by their own experiences, approaches should be developed to facilitate service providers' self-awareness and help them keep their own issues distinct from those of the youths with whom they work.
- Agencies need to begin to work with youths toward the goal of emancipation at a much earlier point in their foster care experience. Adolescents in foster care need help to resolve residual developmental conflicts and problems as well as current problems in making the transition into independent living.
- For clarity in planning, service delivery has to be divided into three phases, intake, continuing service and termination. Many service structures and technologies are common to all three phases and yet have different emphases or uses in each phase.
- Support and rehabilitative services for birth families are crucial to achieve permanency planning goals and to develop their ability to serve as support networks when their adolescents move out of foster care into independent living.
- Finally, agencies have to approach the goal of emancipation not simply as movement from one place to another but as a multidimensional process designed to enhance the young person's growth toward autonomy and mastery of life experiences. Transitional funding must be provided for older youths in foster care to meet basic needs and enable them to build resources toward the goal of full emancipation.

Conclusion

Without an explicit policy commitment to individualized service planning for older youths in foster care, agency programs and social work practice will not meet their critical needs. Without clearly defined federal, state and local foster care policies and allocation of funds, it is difficult for agencies to establish or sustain programs and resources. It is only with such programs as Project Stepping Out that social work staff can create and use appropriate intervention techniques to help older adolescents move out of foster care into responsible living. ■

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[1] See R. Hubbell, *Foster Care and Families* Philadelphia, Temple Press, 1981; E. Tombelaine, J. Cutler and J. Stroburg, *A Study of the Children in Foster Care in One County Department of Social Services* Washington, D.C.: National Catholic School of Social Service, 1980; A. Gruber, *Children in Foster Care* New York: Human Sciences Press, 1978; A. Shyne and A. Schroeder, *A National Study of Social Services to Children and Their Families* Washington, D.C.: National Center for Child Advocacy, Westat, 1978.

[2] Baltimore County Department of Social Services, National Catholic School of Social Service, Institute for Social Services to Families, *Final Report: Project Stepping Out of Foster Care Into A More Self Sufficient Independent Living Net work* DHHS, OHDS, ACYF Children's Bureau Grant 90-CO-0223/01, 1985.

[3] These measures are described in the project's *Final Report*.

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Costs

The participants' allowances are determined individually, based on their expenses for housing and other necessities and their own contribution to the budget through earnings. The maximum allowable is $265 a month, which we are trying to have raised to $350, especially for those living in urban areas. In addition, participants receive a one-time start-up payment, usually from $100 to $180, to buy linens, cooking utensils and other household items. This compares with the $209 maintenance cost for teenagers in foster care and the approximately $1,050 monthly cost for each child in a group home. As State Senator Mary Roberts, a program supporter, said at a committee hearing, "I'd like to know whether or not by expanding this program we take the 'risk' of saving money while providing better service."

Casework Support

The job of the caseworker is to be around when needed without seeming to hover. Initially, this means dropping in every two days or so, just to see how things are going. Later, the visits taper off to biweekly check-ins, usually initiated by the participant. If "friends" seem too persistent as visitors, the worker helps the teenager get rid of them. If the client seems immobilized, the worker gets him going, helping him look through the want ads, enroll in school, find a grocery store, plan a week's meals. The help is mostly of a practical nature and in response to problems that the adolescent himself recognizes. One young man felt unequal to job-hunting. His worker drove him to a street with many small businesses and told him to go up one side and down the other, stopping at each site until he got a job. The worker waited for him, and he returned elated at having found a temporary job, which later turned into regular employment.

Drawing the line between guidance and officiousness is not easy. One young woman, for example, had her heart set on an apartment which unfortunately was infested with ants. The worker knew that they would be a problem but decided to let the participant get the apartment and learn for herself. She very soon did, and was so shaken by her experience that she lacked confidence to stay in the program. In retrospect, the worker wishes he had steered her more forcefully away from that apartment.

Being a caseworker in our program also means being parent and friend to a lonely teenager who usually has no one else to fill those roles. In addition, the Court and community expect the worker to always know where the youths are and what they are doing, an impossible task since clients are unpredictable. Jenny, for example, had usually shown pretty good judgment but suddenly took her CSD check and hitchhiked to Montana. She was charged with a crime along the way, and much agency effort was expended to help the Court understand that although Jenny was living alone she should not be tried as an adult. (She was proven innocent of the charge, by the way.)

Diane was another participant who required extraordinary casework support. A bright, usually responsible participant, Diane had become so depressed at being alone that she called the county suicide prevention center one night. Since the young woman had no close friends or relatives, the center contacted her caseworker, who spent the night with Diane and, of course, later arranged counseling for her.

Although Diane's case was an extreme one, it illustrates the fact that loneliness is one of the foremost problems these youths face. With help, Diane was able to overcome the problem and today, after successfully graduating from the program, she is enrolled in college and working part time to support herself.

A written agreement is signed by each caseworker and participant. It spells out the program goals for the client and what client and worker will do to meet those goals. A job, school attendance, paying the bills on time, taking care of the apartment, food shopping and cooking nutritious meals are common provisions of agreements.

An evaluation of the program in 1978 showed that 60 percent of the participants were rated as meeting most or all of their educational goals; the same percentage were meeting most or all of their employment goals.[3] No formal follow-up of the 30 graduates has yet been done, so we don't know how many are still following the course set during the program. However, an informal survey of participants shows that they are pursuing careers in electronics, forestry (2-year course in a community college), counseling, park and recreation work (a blind participant) and cosmetology. One graduate is a teacher's aide and another is working to become a recreation director.

Of the 30 who had completed the program at the time of the study, case plan goals were achieved in 20 cases and partially attained in seven. Even those who did not achieve their goals gained some benefits from the program.

Getting Through the Program

Like all young people on their own, those in the program have setbacks and crises. The caseworker's view is that an adolescent achieves emancipation by successfully completing the program; the adolescent tends to feel that emancipation takes place when he or she enters it. For the adolescent, independence means freedom from adult controls, especially those of a parental nature. For the adult, it means assuming the responsibility to take care of oneself.

Participants seem to pass through four stages as they progress through the program. The first is *anxiety* about becoming accepted as a participant and the anxiety continues until the youngster is in his or her own apartment. Once accepted, the participant is impatient to move into the apartment and quite intolerant of delays. When the program was first initiated and everyone was unfamiliar with it, we took from two to three weeks to deliver a check after it was ordered. This time has since been reduced to three to five days. Even this improvement, however, is insufficient to reduce anxiety. Once accepted, the youngsters burn to get into their own living quarters.

The second stage—*elation*—usually lasts less than a month. The worker generally counsels moderation, on the theory that the higher these young people soar emotionally, the harder they crash. The youngsters tend to ignore or overlook potential problems; workers must always anticipate them.

The third stage is characterized by *loneliness* and *fear*. All of the problems of independence, familiar to adults, are now encountered by the youngster. Maintaining a routine becomes boring. Dreams of having great wealth evaporate by the middle of the month. The youngster finds he or she has little time or money for entertainment. Indeed, the first sign of trouble often comes over money. The great sum turns out to be paltry indeed, and youngsters find themselves with two weeks remaining in the month and very little money for food. Budget counseling and help in planning expenditures are important casework services with these youths.

In time, the main problem comes down to loneliness. Friends, especially the delinquent ones, start to drop away and few new friends are made. For some young people, a caseworker becomes their main contact and chief provider of guidance and support. Some young people resort to drugs and their performance at work and school begins to slide. Some, like Diane, become clinically depressed. These youths are outside the mainstream of adolescent activity. While other young people are living at home and pursuing normal adolescent activities, residents of this program are trying to earn a living, and they accurately perceive themselves as different.

During this period we have frequently been successful in repairing relationships between a youngster and his or her parents. We always encourage this, even though the participant may have had great difficulties with parents in the past, and the youth often gravitates homeward out of a need to have contact with and receive support from someone significant. Even if a youngster cannot live at home, the receipt of even limited emotional support and encouragement from parents is an asset. The worker must pay close attention to fulfilling a youngster's need for relationships, filling the gap personally when necessary but always trying to help him or her establish as many contacts as possible. On occasion we have held group meetings for residents of the program to allow them to compare experiences and support one another.

The fourth stage is one of *quiet confidence* (as opposed to loud confidence, which is characteristic of the second stage). The transition to this stage is gradual. One day the caseworker realizes that it has been some time since the youngster has called, that he views those problems which arise with less alarm, that he has frequently thought out solutions before the caseworker learned of the problem, and that he has less need for emotional support. Another sign of this stage is the appearance of new friends, who are true associates and not part of a desperate need for any kind of companionship. These signs indicate that it is time to emancipate the youngster and close the professional relationship.

Unresolved Policy Issues

In general, the Independent Living Subsidy Program can be considered a success. It gives an adolescent the support he or she needs to make the transition from substitute care to independence. Some policy issues remain unresolved, however, and will be subject to further program study. For example:

- To what extent does admission into the program reward failure? One requirement for admission—that applicants must have had two previous unsuccessful placements—is now being reconsidered. The point of such a policy was to limit the program to those for whom more traditional living arrangements didn't work but in practice it has created an unnecessary barrier to admission for other prospective applicants. Whether the program should be viewed as a last resort, after all other alternatives have been tried, or as a positive step toward independence for those who demonstrate the maturity to handle it is still at issue in our agency.
- The question of roommates still looms large. At present participants are not allowed to share apartments, except, occasionally, with other participants. Roommates have often been found to be unreliable, a "bad influence" and a drain on the participant's limited resources. On the other hand, they can share expenses and help offset loneliness. Most young people seem to want close companionship with others of their own age when they first venture into the adult world, and the clients in our program are no different. However this is resolved, we expect that roommates of different sexes will continue to be forbidden.
- We are still experimenting with the best way to handle the program administratively. Whether there should be special program workers assigned to independent living caseloads or an agency worker should keep a client who moves from substitute care to the independent living program is still open to question.

Creating the program was an arduous struggle, one that continued nearly two years. In the course of this effort we learned to define the need for it with great precision. Those who seek to implement similar programs in their regions are advised to gear up for a political battle that may not be easily won. Nevertheless, we think the initial success of the Oregon Independent Living Subsidy Program justifies further experimentation in other parts of the country. We know of no similar programs in the United States. If others do exist, we would like to hear from those involved. ■

[1] All names of participants in the program have been changed for this article.

[2] Testimony before the Joint Ways and Means Committee Hearing, Subcommittee 4, Oregon Legislative Assembly, March 20, 1975.

[3] J. Almifer and B. O'Donnell, *Report of Independent Living Subsidy Program Review, Sept. 1, 1978*, Oregon Children's Services Division, 198 Commercial St. S.E., Salem, Oregon 97310.

No. 1

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: CSHB 412 (HESS)
PUBLISH DATE: HOUSE 2/22/88

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An Act relating to the pre-emancination services for certain minors
Sponsor: HESS
Requestor: _____

Agency Affected: Health and Social Services
BRU: Child and Youth Custody
Components: Foster Care, Residential Care

(15A)

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL		3.0	3.0	3.0	3.0	3.0
CONTRACTUAL						
SUPPLIES						
EQUIPMENT		4.5				
LAND & STRUCTURES						
GRANTS, CLAIMS	20.0	253.0	423.0	423.0	423.0	423.0
MISCELLANEOUS						
TOTAL OPERATING	20.0	260.5	426.0	426.0	426.0	426.0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	20.0	260.5	426.0	426.0	426.0	426.0
FEDERAL FUNDS						
OTHER						
TOTAL	20.0	260.5	426.0	426.0	426.0	426.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

(See attached Pages(s).

Prepared by: Yvonne M. Chase, Director AMC
Division: Division of Family and Youth Services
Phone: 465-3170
Date: 02-23-88

Approved by Commissioner: Myra M. Munson, Commissioner
Agency: Department of Health and Social Services
Date: 2-24-88

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

CENTRAL OFFICE COMPONENT

FY 88 Grants

Initial cost of $20,000 to develop and purchase training curriculum for emancipation services/ independent living skills, as well as purchase films, video's, and reference materials for foster parents, residential child care providers and state youth correctional institutions.	$ 20,000.
Total	$ 20,000.

FY 89 Equipment

$4,500 to purchase a computer for program development and client tracking. This computer would be used in administering the program and to avoid the need for additional personal service costs.	$ 4,500.

FY 89 Travel

$3,000 to monitor programs, and to aid in curriculum development and provide training.	$ 3,000.
Total	$ 7,500.

FY 90-93 Travel

$3,000 per year to monitor programs, and to aid in curriculum develope and provide training.	$ 3,000.
Total	$ 3,000.

FOSTER CARE COMPONENT

FY 88 Grants $ 00.

FY 89 Grants

$25,000 to train 40 foster parents in independent living concepts and skills. These foster parents would then provide training to other foster parents from their areas. These trained foster parents could then provide independent living skills to 50 youth the first year and 125 per year thereafter.	$ 25,000.
Total	$ 25,000.

House Bill 412

$270,000 to provide supervised independent living to 30 youth ages 17 and older at an annual cost of $9,000/year for the first year. Costs will vary per youth because of varying levels of maturity and and abilities to achieve transition to subsidized independent living or full independence. Maximum time in supervised independent living would be one year.	$270,000.
$135,000 to provide an average subsidy of $750/month to 15 full time equivalent youth. The amount and length of time subsidies will be provided will vary within a range based on individual needs. A full subsidy will be funded initially and decreasing to zero during the course of a year. Only youth who have gone through an independent curriculum may be admitted to this program. An independent living subsidy will assist the youth in making the transition to independent living.	$135,000.
TOTAL	$415,000.

FY 90-93 Grants

A cost of $8,000 per year thereafter be required to train additional or new foster parents to accommodate turnover among foster parents, and to update and enhance the curriculum.	$ 8,000.
Total Per Year	$ 8,000.

RESIDENTIAL CHILD CARE COMPONENT

FY 88 Grants -0-

FY 89 Grants

$30,000 to train staff from 14 residential child care facilities and 4 youth corrections facilities in the independent living skills curriculum. These care givers would then teach independent living skills to 75 youth the first year and 175 youth each year thereafter. Each of the residential and youth correction facilities would be required to add this component to their treatment programs.	$ 30,000.
$135,000 to provide supervised independent living to 15 youth ages 17 and older at an annual cost of $9,000/year for the first year. Costs will vary per youth because of varying levels of maturity and and abilities to achieve transition to subsidized independent living or full independence. Maximum time in supervised independent living would be one year.	$135,000.
$ 63,000 to provide an average subsidy of $750/month to 7 full time equivalent youth. The amount and length of time subsidies will be provided will vary within a range based on individual needs. A full subsidy will be funded initially and decreasing to zero during the course of a year.	$ 63,000.
TOTAL	$228,000.

FY 90-93 Grants

$10,000 each year to update and enhance the independent living curriculum and to train staff from residential child care facilities and youth corrections facilities due to turnover and the need to update skills.	$ 10,000.

(7)

HOUSE COMMITTEE REPORT

Date referred: 1/29/88 FURTHER REFERRALS: Judiciary

DATE: 2-17-88

The Health, Education and Social Services Committee has considered HB 412

"An Act relating to the pre-emancipation services for certain minors."

RECOMMENDS:

[X] replace with CSHB 412 (HESS) [X] the same title

[ ] attached amendment(s) [ ] a new title

[X] do pass

[ ] do not pass

[ ] no recommendation

[ ] individual recommendations

[ ] additional referral to the _____ Committee

ADOPTS: [ ] _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):

[X] fiscal impact

[ ] zero fiscal note

[ ] zero with analysis

[ ] same as previous fiscal note published _____

[ ] same as previous zero fiscal note published _____

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

Chairman's signature