



Children's Advocacy Institute
2021 Annual Report





This annual report covers the activities of the Children's Advocacy Institute (CAI)
between January 1, 2021 and December 31, 2021.

CAI is part of the nonprofit University of San Diego School of Law.
Contributions to CAI are tax-deductible to the extent the law allows.

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History and Purpose

In 1989, Professor Robert C. Fellmeth founded the Children's Advocacy Institute (CAI) as part of the Center for Public Interest Law at the University of San Diego (USD) School of Law. In 2021, the Center for Public Interest Law was renamed the Consumer Protection Policy Center (CPPC), and CPPC, CAI, and the Energy Policy Initiatives Center (EPIC) are now all part of the Centers for Public Interest Law (CPIL).

Staffed by experienced attorneys and advocates, and assisted by USD law students, CAI works to improve the status and well-being of children and youth. CAI engages in the academic and clinical training of law students in child advocacy, conducts research into child related issues, and provides public education about the status of children and of the performance of the state to advance their interests. CAI also engages in direct advocacy before courts, agencies, and legislatures to seek leveraged results for the benefit of children and youth. All of these functions are carried out from its offices in San Diego, Sacramento, and Washington, D.C.

CAI is the only child advocacy group operating at a law school, in a state capital, and in our nation's capital. That presence has grown in importance as organized interests, with a focus on relatively narrow and short-term self-benefit, increasingly dominate public policy.

CAI is advised by the **Council for Children**, a panel of distinguished community, state, and national leaders who share a vision to improve the quality of life for children. CAI functions under the aegis of the University of San Diego, its Board of Trustees and management, and its School of Law.

CAI's academic program is funded by USD and includes the first faculty chair endowment established at the USD School of Law. In 1990, San Diego philanthropists Sol and Helen Price funded the **Price Chair in Public Interest Law**; the first and current holder of the Price Chair is Professor Robert C. Fellmeth, who serves as CAI's Executive Director. The chair endowment and USD funds committed pursuant to that agree-

ment finance the course and clinic academic programs of both CPPC and CAI.

In 2014, the USD School of Law was pleased to establish the **Fellmeth-Peterson Faculty Chair in Child Rights**, which will assure the continuation of CAI as an educational part of USD and, hopefully, as a state, national—and perhaps someday, international—advocate for children. The chair is named in honor of Robert B. Fellmeth (father of CAI Executive Director Robert C. Fellmeth), and Paul Peterson, a longstanding supporter and inspiration for CAI from its beginning 30 years ago. The Chair is now fully funded, and in August 2018 Jessica Heldman was named the Fellmeth-Peterson Professor in Residence in Child Rights.

Although its academic component has dedicated funding sources, **CAI must raise 100% of the funding to support its advocacy program each year, and does so from external sources such as gifts, grants, attorneys' fees, cy pres awards, etc.**



Executive Director's Message

Ongoing Challenges Facing Child Advocates. CAI's sister organization, the Consumer Protection Policy Center, focuses on the problems of state regulatory agencies as democratic entities—problems that present challenges for child advocates as well as consumer advocates. The common flaw inhibiting agencies' bona fide performance for the public has to do with corrupt influence by those organized around a private stake in public policies. In fact, most agencies are not merely influenced by cartel-like private commercial associations—their members control their actual governing bodies directly. But the failures of these alleged instruments of the People are also manifest in a similar manner when considering the state's treatment of children. For children wield even less influence over public decisions. Not only do they lack powerful lobbyists, but they do not contribute to campaigns or even vote. In terms of lobbying in Sacramento or in D.C., the amount of money financing child lobbying is a tiny fraction of funding for the elderly (who do vote and contribute to campaigns and are represented by AARP and other influential lobbies). And, of course, the profit-stake economic interests, from insurance firms to oil to ... you name it, are replete with former legislators and staff as their lobbyists. Children are a diffuse interest with future events having a profound impact on their fate.

We continue to face the unprecedented level of future deficits our grandchildren (and theirs) will face due to the actions and inactions of Baby Boomers. For example, consider the federal budget deficit. We can federally print more money, with the current ideology being the Dire Straits song "Money for Nothing." But that is a lie. The elderly profit from Medicare, Social Security, and large public pensions. And those are meritorious programs. But the generation benefitting from these programs should finance them. The pre-2017 projection of the total deficit in 20 years is about \$60 trillion in current dollars. Nor is the Biden Administration hesitant about piling on more and more.

In California, another example of the extraordinary greed of current seniors is the property tax system. If my child or grandchild buys a house next-door to mine, with the same value as mine, he/she will pay ten or more times my property tax for the same services. That's because under Proposition 13, the property tax rate is set at 1% of the initial market value, and any annual increase are capped at 2%. The longer someone stays in their home, the lower their effective tax rate will be in comparison to its market value. So because market values have increased many times beyond inflation since the enactment of Proposition 13, older Californians who bought their homes perhaps decades ago pay just a fraction of the property tax that is imposed on new (typically younger) homebuyers.

And another generational betrayal—global warming—is getting some attention now, and the Biden Administration promises more in 2022. CAI is quite proud of its sibling organization, the Energy Policy Initiatives Center (EPIC); under the direction of Scott Anders, EPIC completes climate action plans for many cities striving to accomplish carbon reductions, holds an annual symposium featuring national environmental officials and experts, and uses that scholarship to help produce the nation's first law review on global warming—the USD School of Law's Journal of Climate and Energy Law.





New Challenges Arising from the COVID-19 Pandemic. We may never know the full impact and scope that COVID-19 is having on the physical and mental well-being of children and youth. Parents struggled more than ever to adequately care for their children, facing stressful challenges such as unemployment, financial stress, social isolation, etc. Their children are seeing that, and are probably internalizing that stress themselves. And not surprisingly, such stressful situations are associated with an increased risk of child abuse and neglect. Combine that with the fact that children were being seen by far fewer mandated reporters than ever before, and the potential for undetected child maltreatment is at an all-time high.

As I mentioned last year, a law review article on Covid and children, co-authored by Margaret Dalton, Jessica Heldman, and myself, ([*Covid-19 and Preventing Harm to Vulnerable Children*](#), UNIVERSITY OF SAN DIEGO LAW REVIEW, Volume 57, No. 4, Fall 2020) documents the special costs the pandemic has imposed on children with special needs, as well as those in the juvenile justice and dependency court systems. Included in the current failure are former foster children—categorically at risk and typically lacking self-sufficiency support. Once again, and for the umpteenth time, these foster children are not the children of other adults. They are literally and legally our children—yours and mine—and legally parented by our judges.

Racial Injustice and Socioeconomic Inequities. The ongoing COVID-19 pandemic directed more attention to the underlying inequities and challenges facing certain populations of children and youth. Throughout 2021, the child advocacy field continued to call attention to the overrepresentation and disparate treatment of children of color in the child welfare and juvenile justice systems. CAI's long-standing commitment to protecting all children from traumatic experiences—including abuse and neglect, but also harms perpetrated by our own public systems—spurred us to take a closer look at the experiences of children of color and promote policy solutions that can positively impact their lives.

CAI's Work in 2021. This report details some of the many actions CAI took during 2021 to address the issues described above, as well as other systemic issues challenging the safety, health, and well-being of children, youth, and families. Our work involves advocacy in legislatures, executive branch agencies, courtrooms, and in the public forum. It also includes the education of USD law students through our academic program and clinic offerings, as well as educational offerings aimed at attorneys, social workers, judicial officers, probation officers, and other professionals working with Juvenile Court-involved children and youth. Highlights of our advocacy and academic efforts are discussed below.

As you will see, CAI makes a big impact despite having a relatively small staff. It helps to have passionate, zealous, effective advocates and educators on our team, whose work is described in this report. However, our reach and efficacy are enhanced by two secret weapons: (1) our students, who perform research, analysis, advocacy, and otherwise support our efforts, and (2) Katie Gonzalez, our Assistant Director of Public Interest Law Communications—whose tireless and outstanding work contributed to just about every activity and accomplishment described below.

Looking forward to 2022. In addition to continuing our work on the many projects described below, we anticipate major legislative work in 2022. At the federal level, the Biden Administration continues to offer possibilities for potential improvements in child protection. We anticipate a strong reauthorization of the Child Abuse Prevention and Treatment Act (CAPTA), which has the potential to reframe and reshape our nation’s prevention of and response to child maltreatment. In addition, many efforts are underway to extend the child tax credit, expand the Chafee Independent Living Program, provide free or very low-cost postsecondary educational opportunities, and consider broader expansion of programs for universal basic income. The Biden Administration is focusing efforts across government to adopt and enact a wide array of federal reforms which will make big impacts in stabilizing families, reducing poverty and food insecurity, and acknowledging the unique perils faced by youth aging out of care and other at-risk young people.

We also anticipate many successes at the state level with regard to our legislative priorities, upcoming litigation efforts, regulatory advocacy, and ongoing grant projects, many of which are discussed below.

In Closing. Civil libertarians discuss all sorts of rights that are properly respected, but not much is said with regard to the rights of children to be wanted, to be safe, and to be healthy. To close this message, I pose three questions highly relevant to the disgraceful incidence of child abuse and neglect in perhaps the wealthiest nation on earth:

- ◆ Why do we not recognize the right of a child to be intended by two adults?
- ◆ Why do we not include parenting education in our schools?
- ◆ Why do we not eliminate severe child poverty, particularly by extending the 2021 instigation of a child tax credit that will more than reduce it by half?

Those questions perpetually ring in our ears.

Bob Fellmeth
Price Professor of Public Interest Law
CAI Executive Director
University of San Diego School of Law



Academic Program Highlights

General Overview. One of CAI's primary responsibilities is to educate the child advocates of the future. The USD School of Law is honored to have been endowed with the Fellmeth-Peterson Faculty Chair in Child Rights, which will assure the continuation of CAI as an educational part of USD and as an effective advocate for children. The chair is named in honor of Robert B. Fellmeth (father of CAI Executive Director Robert C. Fellmeth) and Paul Peterson, a longstanding supporter and inspiration for CAI from its beginning 30 years ago. Since 2018, CAI has been honored to have USD School of Law and CAI alumna Jessica Heldman hold the Fellmeth-Peterson Professor in Residence in Child Rights.

CAI's teaching of Child Rights and Remedies has been a fixture of the USD School of Law for over three decades. The treatise for the course is *CHILD RIGHTS AND REMEDIES*, co-written by Prof. Fellmeth and Prof. Heldman (who also team-teach the course). Now in its 4th edition, the text is being considered for possible adoption and use by dozens of professors at law schools across the nation; we hope to see widespread adoption of it as a text in the near future.

Our Child Rights and Remedies traditional lecture and discussion course is supplemented by CAI's Child Advocacy Clinic, which provides three unique clinical opportunities for our law students. Our Dependency and Delinquency clinics are court-based clinics that allow our students to have direct court participation as counsel in Juvenile Court proceedings, under the supervision of practicing attorneys. This allows students to introduce evidence, perform direct and cross examination of witnesses, draft and argue motions, make final arguments, et al. These two clinics require students to obtain a special certification by the State Bar through its Practical

Training of Law Students program. We also provide a Policy Clinic that allows law students to work with CAI staff on a variety of real-world policy advocacy projects, including legislative and regulatory advocacy, test litigation, researching and drafting reports, etc.

Because of the interest in and importance of CAI's classes and clinics, the USD School of Law has designated "Child Rights" as a concentration that can be placed on the law school graduation diploma if students take a minimum number of units in our academic program and related offerings. An increasing number of law students are applying to the Law School seeking this concentration and graduating with this distinction, demonstrating their commitment to this educational focus.

Law students who graduated from our programs inspired us to create and expand our inspirational "Changemaker Wall." Featured in our conference room, this display now features several CAI graduates now working as child advocates in different respects. We anticipate this number steadily growing over the next few years, as an increasing number of USD Law School applicants explicitly mention CAI as a reason for attending this school.



2021 Academic Highlights. The Spring 2021 semester provided three students with the opportunity to participate in the Child Advocacy Dependency Clinic. Two of these students represented children in dependency court as court-appointed minor's counsel; another student worked with County Counsel's appellate division on drafting briefs in critical cases related to the termination of parental rights and the adoption of children from foster care.

In May 2021, CAI recognized four graduating law students for their exceptional work on behalf of children and youth. CAI presented the 2021 James A. D'Angelo Outstanding Child Advocate Award to Jennifer Aardema, Katie Abajian, Kezia Adler, and Alyson Hayden. These students participated in CAI's Child Advocacy Clinic and/or engaged in other child advocacy opportunities in which they protected and promoted the rights and interests of children and youth.

Also in May 2021, CAI presented the 2021 Joel and Denise Golden Merit Award in Child Advocacy to Allison Plette. This award is presented annually to a second-year law student who has already started to use his/her developing legal skills to benefit system-involved children. Even prior to starting her third year of law school, Allison made considerable contributions to the field of child advocacy through her work in the Child Advocacy Delinquency Clinic and her membership in the student group Advocates for Children and Education (ACE).

In Fall 2021, CAI welcomed a new class of students to its Child Rights & Remedies class and clinical offerings. A record number of students enrolled in Child Rights & Remedies during this fall semester. The Child Advocacy Delinquency Clinic provided students with the opportunity to represent youth in delinquency matters, with the unique opportunity to participate in a collaborative mental health court for youth on probation. In addition, students involved with the Child Advocacy Policy Clinic assisted CAI in a number of projects, including engaging in research to support the introduction of a bill in the California legislature to address the high rate of suspension and expulsion of foster youth of color across our state.

Pre-Law Internships. During the summer of 2021, CAI welcomed an impressive class of Pre-Law interns from colleges including Stanford, St. Andrews (Scotland), and our own USD. These impressive undergraduates—future attorneys and child advocates—worked closely with CAI staff to support our work reviewing regulatory actions by the California Department of Social Services, researching violations of federal law and regulations regarding the treatment of refugee minors in government custody, and the tracking of important youth justice policy in the state of California and around the nation.

Other Notable Highlights. In October 2021, CAI Founder and Executive Director Bob Fellmeth was awarded the Bernard E. Witkin Award for Excellence in Legal Education by the San Diego County Law Library Foundation. The Witkin Awards celebrate excellence in the San Diego

legal community and the good works done by the honorees. In honoring Bob Fellmeth, the Foundation noted some of his notable achievements, including holding the Price Faculty Chair in Public Interest Law at the University of San Diego since 1984; his extensive and prolific teaching career, having taught over 2,000 students in the areas of antitrust law, consumer law, regulatory law, child rights, and more; his founding of

USD's Center for Public Interest Law (CPIL) in 1980, its Children's Advocacy Institute in 1989, and its Energy Policy Initiatives Center in 2005; and his commitment to give students the opportunity to impact public policy and begin their public interest legal careers while still in law school.

In Fall 2021, Prof. Jessica Heldman took part in a USD School of Law panel on trauma-informed lawyering along with Juvenile Court Judge Marian Gaston, as well as an attorney representing human trafficking victims and a local mental health service provider and trauma expert. Students learned about how trauma can affect youth behavior and best practices for engaging in legal representation of youth with trauma histories.



Research, Advocacy, and Public Education Highlights

★ Improving Outcomes for Transition Age Foster Youth

Protecting Federal Benefits for Eligible Foster Youth. Much of CAI's 2021 advocacy in support of transition age foster youth focused on efforts to protect foster youths' federal benefits, such as disability (SSI) and survivor (OASDI) benefits, from diversion by state foster care agencies. This advocacy took multiple forms, including the following:

- CAI's Amy Harfeld wrote an article published in the Guardian, the journal of the National Association of Counsel for Children, entitled, **Who is Benefitting from Your Clients' Benefits? Preserving the Social Security Disability and Survivor Benefits of Youth in Foster Care**. This piece outlines the history and development of the immoral practice of intercepting disabled and orphaned foster youth's Social Security benefits, and provides updates on advocacy, opportunities to engage in reform, and practice tips for children's attorneys. Amy presented on this issue to state advocacy organizations across the country who are members of the Partnership for America's Children through the State Policy Advocacy and Reform Center (SPARC).
- CAI engaged with members of Congress to advance reintroduction of a 2018 bill which would prohibit the practice of intercepting foster youth benefits; relationships were forged with offices on both sides of the aisle to try and develop a bipartisan path forward for a bill.
- CAI provided training, resources, and technical assistance to over a dozen states and localities who either began planning for, introduced, or passed legislation or policy to limit this practice.
- CAI hosted a Congressional briefing on June 10, 2021 to educate and motivate members of Congress, their staff, and other stakeholders in the child welfare and foster care communities about the common state practice of intercepting and diverting federal benefits intended for eligible foster youth. The briefing was well-attended and featured an inspiring young man with lived expertise who shared his experience around this issue.
- With the assistance of two major law firms providing pro bono assistance, CAI started to lay the groundwork for filing two lawsuits challenging California's diversion of Social Security, Survivors, and other federal benefits intended to be used on behalf of eligible foster youth in a fiduciary manner.
- CAI assisted NPR and the Marshall Project during their research and drafting of **The Hidden Bill for Foster Care**, a four-part investigation series highlighting this issue; that series generated widespread awareness and outrage about this practice, and led to a number of reform responses by states and localities. That series also generated substantial coverage by other national, state, and local media outlets, many of whom also reached out to CAI for information and input.
- CAI worked doggedly to press for federal administrative reform on this issue within the Social Security Administration (SSA) and the Administration for Children and Families (ACF). We organized advocacy calls involving foster youth, Congressional offices, academics, experts, and representatives from multiple offices in each agency to highlight this issue, and submitted an extensive list of requested administrative actions that can be advanced under existing authority and law. We followed up with these 2021 requests regularly, pressing for action and maintaining public pressure for a response.



Fostering Fairness. In 2021 CAI launched **Fostering Fairness**, a peer-to-peer educational campaign aimed at making the foster care system more equitable for the youth and young adults who depend on it. This project allows Youth Advocates (young adults with foster care experience) to share with their peers (young adults with no foster care experience) their narratives on how being in the foster care system impacted their ability to attain self-sufficiency after leaving care. We worked with 17 amazing Youth Advocates who contributed videos, blogs, quotes, and other content that we shared on social media platforms and our website, which also contains additional content such as facts about the foster care system and youth outcomes, resources for learning more about the system, and several calls to action—ways for young people to advocate for policy changes and/or support young people impacted by the foster care system.



Federal Transition Age Coalition. CAI was a founding member and active member of the Federal Transition Age Coalition, formed in 2020 in response to pressing needs surrounding the pandemic. During 2021, the Coalition advocated fiercely for a pandemic relief package allocating \$400 million to expanded relief and benefits for current and former foster youth. It prevented youth from losing system benefits if they aged out during the pandemic, and expanded financial assistance to include former foster youth up to 27 years old. It also increased funding to provide current and former foster children with transportation and relaxed some requirements for benefits. Unfortunately, this assistance ended in September 2021, and despite arduous efforts by CAI and other partner members of the Coalition, they were not extended.

★ Protecting Postsecondary Student Consumers

Federal Advocacy to Effectuate 90/10 Reform. Although veterans were the prominent focus of the long-sought 90/10 reform effort at the federal level, CAI supplemented that effort with advocacy relating to another population targeted by the private, for-profit industry: foster youth, who have access to federal Chafee education funds (which, like GI funds, did not previously count toward the 90% federal funding cap). Persistent and effective advocacy by CAI’s National Policy Director Amy Harfeld, including her testimony at the Federal Trade Commission and U.S. Department of Education, information on CAI’s Fostering Fairness website, and related materials helped drive this impacted community into the consciousness and advocacy of those working on 90/10 reform. Veterans Education Success President Carrie Wofford credited CAI for this inclusion, and indicated that to her knowledge, no other group addressed the 90/10 rule’s impact on foster youth.

Legislative Success and Efforts. Notwithstanding COVID-19 again impacting legislative processes and the sunset review of the Bureau for Private Postsecondary Education (BPPE), CAI helped win enactment of SB 802 (Roth) (Chapter 552, Statutes of 2021), important reform legislation making various changes to the California Private Postsecondary Education Act of 2009 to improve the effectiveness of the BPPE, enhance opportunities for student success, and extend BPPE operations for one year. Of special note, the measure amends the Act to allow BPPE to take action based on potential harm, instead of having to wait to file an enforcement action until it could demonstrate a student has already been harmed.

Perhaps most consequentially, CAI Senior Counsel Ed Howard was quietly but urgently asked by other key advocates to leverage his reputation and public interest impact litigation experience with the Department of Consumer Affairs (DCA) and legislative leadership to address legislatively a potentially catastrophic 9th Circuit ruling brought by a well-funded, right wing law firm. *Pacific Coast Horseshoeing School, Inc. v. Kirchmeyer*, __ F.3d __ (9th Cir. 2020) held that a state statute that required certain students to pass an “ability-to-benefit” test before enrolling in a course implicated the First Amendment and was subject to heightened scrutiny. The implications of such a ruling for for-profit oversight are dire, raising the possibility of having to defend every for-profit regulation under First Amendment heightened scrutiny—something that would effectively freeze significant enforcement here and, precedentially, everywhere. After concluding that a repeal of the ability-to-benefit statute might moot out the case, Howard collaborated with legislative staff to successfully ensure the statute’s repeal in SB 607 (Min) (Chapter 367, Statutes of 2021).

Sustained Investigative Reporting on Predatory Practices by Postsecondary Schools. During 2021, CAI consultant David Halperin published on [Republic Report](#) numerous investigative articles drawing on whistleblower accounts and revealing predatory practices and abuses at schools including Perdoceo's AIU and CTU, Ashford University, Keiser University, and the CEHE schools. He repeatedly broke news as the CEHE chain lost accreditation and federal aid and then collapsed. He exposed continued deceptive practices by lead generation websites and misconduct by industry lobbyists. He also published policy essays arguing for reform of the Department of Education's (ED) oversight of the accreditation system, supporting legislative reforms of the 90/10 rule and Pell grants, questioning an arrangement between California's community college systems and the APUS for-profit chain, and highlighting problems with the purchase of predatory chains by the states of Indiana, Arizona, and Arkansas. He worked closely with congressional offices on accountability issues and investigations, including the controversial conversions of for-profit colleges to non-profit status. He published articles calling out prominent people, including former members of Congress and Martha Stewart, for taking money to validate for-profit colleges. He successfully pressed a pay-to-play advocacy group to take down a website containing numerous false and defamatory statements regarding Carrie Wofford, Bob Shireman, James Kvaal, and himself. He also regularly provided information and analysis for other media outlets.

Halperin and Wofford led coalition efforts to press the Biden administration and state attorneys general to investigate and take action against specific institutions. He cultivated industry whistleblowers and personally brought more than twenty of them to Zoom interviews with ED investigators. He arranged for private attorneys to represent several whistleblowers, and prompted ED and the Department of Justice to investigate when one whistleblower received explicit threats. He publicly criticized Biden appointees and rumored appointees for their ties to the for-profit college industry, and repeatedly called out the administration for taking positions in court that backed the actions of or supported the position of Trump ED secretary Betsy DeVos.



He publicly criticized Biden appointees and rumored appointees for their ties to the for-profit college industry, and repeatedly called out the administration for taking positions in court that backed the actions of or supported the position of Trump ED secretary Betsy DeVos. He promoted, with some success, the candidacies of outstanding people for jobs in the administration. And he led coalition efforts, publicly and behind the scenes, to press the Biden ED to move toward greater transparency regarding its dealings with for-profit colleges.

Preservation of Calbright. During 2021, the CAI once again was part of the small but committed group that protected Calbright, California's online community college, from powerful, union-lead efforts to defund and/or eliminate the program. Thanks in great part to our efforts, the final 2021–22 budget retained funding for the college, and AB 1432 (Low), which would have eliminated Calbright at the end of 2022–23, was withdrawn by the author from hearing in the Senate Education Committee in July, making it a two-year bill. CAI Senior Policy Advocate Ed Howard worked tirelessly to protect this free, “public option” alternative to expensive online private, for-profit offerings, despite its inconsistent roll-out.

Protecting Postsecondary Student Consumers Webinar Series. The USD Team launched this extensive and far-reaching series of online events involving virtual presentations and interactive discussions, under the direction of CAI Senior Staff Attorney Melanie Delgado. After hosting the first three webinars in 2020, the USD Team went on to present four more webinars during 2021: *The State Authorization Reciprocity Agreement (SARA): What You Need to Know and How It Impacts Student Protections* (Jan. 2021); *How Advocates Can Work with the Media to Effect Change and Protect Postsecondary Students* (Feb. 2021); *Litigation as a Tool to Protect Postsecondary Students* (Mar. 2021); and *Protecting Students from Innovations in Predatory Lending* (Apr. 2021). All of the webinars were recorded and are available for viewing

on CAI's website and other sites. The USD Team will hold more webinars as part of this series during 2022; presenters are scheduled to include Debbie Cochrane and Bob Shireman, among others.

BPPE. CAI continued to monitor the BPPE, theoretically one of the strongest state-based regulatory entities in its statutory authority, and mindful of the Governor's interest in several strong private for-profit reforms that remain connected to its sunset consideration, which has been put off to 2022. And CPPC continues to publish coverage of BPPE activities in its CALIFORNIA REGULATORY LAW REPORTER.

In May 2021 Melanie Delgado, CAI Senior Staff Attorney, was appointed to serve on the BPPE Advisory Committee as one of its three Consumer Advocate members. The Committee examines BPPE's over-

sight functions and operational policies, advises with respect to matters relating to private postsecondary education, and provides assistance as may be requested by the Bureau.

Also, Ed Howard continued to advise policymakers on BPPE issues, especially funding—a critical facet impacting its ability to fulfill its function.

CSAAVE. Due to advocacy by CAI, the California State Approving Agency for Veterans Education (CSAAVE) is conducting an inventory of California schools and programs that were approved by federal VA during the time that CSAAVE was not authorized to engage in the approval process. Once that information is available, we will determine how best to address the undoubtedly inferior schools and programs that were approved for operation in California.

★Championing a Child's Right to Counsel

CAPTA Amendments and RTC Advocacy. CAI led federal advocacy efforts to amend the Child Abuse Prevention and Treatment Act (CAPTA) to include a right to counsel (RTC) for children and parents at all phases of a child welfare case. The Senate included language in their reauthorization bill to do so, on a fully bipartisan basis. CAI's National Policy Director Amy Harfeld met with Congressional staff in both chambers of Congress, on both sides of the aisle to highlight the opportunity to advance the RTC provision in CAPTA and encourage support of this to be included in the final bill passed. Harfeld collaborated with allies at the American Bar Association Center on Children and the Law, the National Association of Counsel for Children (NACC), and First Focus to formulate proposed amendments to the pending CAPTA right to counsel language in order to maximize chances for adoption, and submitted proposed consent amendments to the Senate for consideration. The measure is currently pending Congressional action.

CAI also served as an advisor on the Counsel for Kids campaign, launched in 2021 by NACC. The campaign is directed at bringing non-RTC states towards universal representation, and to inform federal policy and law reform.



Impact Litigation. In 2021, CAI continued to litigate *Nicole K., et al. v. Marion County, et al.*, Case No. 3:19-cv-00025, contesting the refusal of Indiana to recognize foster children’s right to counsel in legal proceedings that profoundly impact their lives. Participants in this matter include eight foster child plaintiffs, Indiana co-counsel, and the pro bono wing of the national law firm Morrison & Foerster. As background, we filed an amended complaint and suffered a dismissal from a Trump-appointed federal district court judge. We appealed to the 7th Circuit, which abstained—contending that this basic constitutional law question was not appropriate for federal jurisdiction and positing total deference to whatever the state court might choose to do. In Sept. 2021, we filed a petition for writ of certiorari to the U.S. Supreme Court. Indiana attempted to win a cert denial and a refusal to even review our petition. The U.S. Supreme Court rejected that Indiana request for summary rejection and accordingly, Indiana submitted its opposition to the cert petition. We submitted our reply to their opposition in December 2021, and a brief in support of our petition was filed by Amici Curiae the Institute for Justice, the National Association of Counsel for Children, and the Institute for Free Speech.

Unfortunately, the U.S. Supreme Court denied our petition for writ of certiorari, thus ending our case, on January 10, 2022. However, we are encouraged by two related events. First, Senate Bill 180, currently pending in the Indiana legislature, would request that the legislative council assign to the interim study committee on child services the topic of studying a requirement for and funding of court-appointed attorneys in certain cases involving juveniles; this measure has bipartisan support. Second, the matter might be taken out of Indiana’s hands entirely, if the CAPTA amendment discussed above is enacted.

★Eliminating Child Abuse and Neglect Fatalities and Near Fatalities

Federal Advocacy. CAI continued to lead efforts to enhance data collection, accountability, and disclosure with regard to child abuse and neglect fatalities and near fatalities. CAI successfully advocated for the introduction of an entirely new section in the Senate version of the Child Abuse Prevention and Treatment Act dedicated to the prevention of maltreatment fatalities. These amendments to the most significant federal law addressing the disclosure and reporting of child abuse and neglect fatalities and near fatalities would expand reporting, create greater accountability, facilitate better interagency collaboration and data-sharing, and dedicate more substantial funding for this critical statutory framework. The language was endorsed on a bipartisan basis in the Senate and is pending reauthorization and adoption.

CAI worked on a bipartisan basis with Senators Roy Blunt and Sherrod Brown to introduce the Child Abuse Death Disclosure Act which would require the establishment of a national standard definition of a fatality and make federal fatality reporting mandatory rather than discretionary. This Act is pending adoption.

CAI also engaged with the newly-appointed Commissioner of the Children’s Bureau to elevate the issue of fatalities and fatality prevention and make a series of administrative requests to bolster oversight and enforcement of existing federal law.

CAI uncovered an unintended legislative repeal from the 2011 Child Welfare Oversight and Innovation Act, which required multidisciplinary fatality reporting. The Family First Prevention Services Act included unrelated provisions related to data reporting and the development of fatality prevention plans at the state level. They were intended to be progressive, but the subsequent 2018 law supplanted the previous more stringent provision. We informed Congressional committees and legislative staff of this issue, and strategized to rectify the unintended legislative damage. CAI submitted technical assistance and proposed amendments to Title IV-B, up for reauthorization in the 117th Congress, to reinstate and strengthen the previous statutory language.





State Advocacy. CAI worked closely with a whistleblower regarding the state’s need to overhaul the system by which all child deaths in California are investigated, reported and analyzed, and is currently championing policy changes to require the Attorney General’s Office to create a best-practices toolkit and re-establish the statewide child death review team, and to mandate a review team in every county, required to post annual reports on their websites.

Expertise and Technical Assistance. CAI explored the option of preparing and releasing an update to its *State Secrecy and Child Deaths* report, and conducted initial research in that regard. However, it became apparent that a more critical use of our time and resources was to provide technical assistance to advocates seeking to improve individual state’s public disclosure policy and practices. For example, CAI’s Amy Harfeld

responded to a request for assistance from advocates in New Mexico, and presented a virtual training to New Mexico lawmakers, child welfare officials, advocates, and transparency watch dogs on what state and federal laws mandate with regard to public disclosure of child abuse and neglect deaths and near deaths. Amy’s presentation informed the audience about what the Child Abuse Prevention and Treatment Act requires, what New Mexico law entails, and what a best practice or good state public disclosure policy includes.

Leadership and Collaboration. In 2021, CAI National Policy Director Amy Harfeld co-presented at the Leadership Conference of the National Children’s Alliance, “The Power of Us.” National Children’s Alliance (NCA) is a professional membership organization consisting of Children’s Advocacy Centers across the country. Reaching everyone with a voice in

eradicating abuse—families, advocates, partner agencies, communities, researchers, and all the way to Capitol Hill—members power a national movement to keep children safe. Featuring the largest network of care centers supporting child abuse victims in the country, NCA is a model in outcome-driven collaboration.

Amy Harfeld also conducted a learning session entitled, “No More Fatalities: How to Keep Families Together and Children Safer. The presentation, reaching a large national audience, focused on how while CPS works to right-size its response and avoid disruption of families whose problems are rooted in poverty, the fact remains that a call to a CPS hotline is the single greatest predictor of future injury and death to young children. Amy addressed how policies can be changed to reconcile both sides of this coin.

★ Stopping the Commercial Sexual Exploitation of Children

Amicus Curiae Activity. In 2021, CAI helped research and draft an [amicus curiae brief](#) in *Doe v. Twitter*, in which plaintiffs allege that Twitter Inc. benefited from sex trafficking involving them as teenagers when it published child pornography videos on its website. In the brief, CAI and its co-amici argued that online platforms like Twitter are now the primary venue for sexual exploitation and that Congress passed the Trafficking Victims Protection Reauthorization Act of 2008 and Fight Online Sex Trafficking Act and Stop Enabling Sex Traffickers Act to hold internet platforms accountable for online sex trafficking. Because Twitter's motion to dismiss asked the Court to ignore this Congressional directive, making the very same arguments that prompted Congress to pass such legislation in the first place, amici submitted that Twitter's motion should be denied. In August 2021, the U.S. District Court for the Northern District of California denied Twitter's motion to dismiss plaintiffs' claim under the Trafficking Victims Protection Act.

Legislative Advocacy. To protect victims of the Commercial Sexual Exploitation of Children (CSEC), CAI sponsored SB 382 (Caballero), which would include commercial exploitation of a minor in existing provisions of law that authorize courts to issue a restraining order during the pendency of criminal proceedings and upon conviction of specified offenses. This measure became a two-year bill, so CAI will continue to advocate for its passage during 2022.

CSEC Technical Assistance. During 2021, CAI's Jessica Heldman and Melanie Delgado completed their work on a contract with the Robert F. Kennedy

National Resource Center for Juvenile Justice to provide technical assistance to the state of Delaware, supporting the state's efforts to identify and implement the use of a screening tool to identify children in the child welfare and juvenile justice system who are at risk of commercial sexual exploitation. Additionally, Jessica and Melanie participated in RFK's September 2021 Transformation of Youth Justice Symposium, serving as workshop presenters for the segment entitled, *Innovations in Addressing Commercial Sexual Exploitation of Children*, and Jessica served as a training leader for the Training Institute offering *CSEC and Dual Status Youth: Meeting the Needs of Dually-Involved Youth at Risk of Trafficking*. CAI will continue its partnership with this national organization, providing technical assistance to additional states and local jurisdictions in 2022, most notably in Clark County, Nevada.

Partners Against eXploitation. CAI's Melanie Delgado continued to oversee Partners Against eXploitation (PAX), a USD-led initiative to prevent human trafficking and other forms of exploitation through advocacy, education, and cross-sector partnerships. PAX work is evidence-based and grounded in the social justice values of equity, co-creation and diversity. The PAX Initiative, which is part of USD's Urgent Challenges Collective, is a complex partnership that brings together the campus-wide community of students, faculty and staff changemakers who have established expertise on issues as well as policymakers, advocates and those with lived experiences, and provides funding and assistance with innovative projects aimed at addressing various aspects of human trafficking.

★ Protecting a Child's Right to Privacy/Promoting Online Safeguards

Protecting the Privacy Interests of Children and Youth. In 2021, CAI sponsored AB 891 (Cunningham), which provides that a representation by a minor that the minor's parent or legal guardian has consented shall not be considered to be consent for purposes of contract formation. This bill addresses a growing and troubling trend found in connection with various websites' terms and conditions that state that a minor's use of those services is considered a representation that the minor's parent or guardian has so consented. The Governor signed this measure on June 28, 2021 (Chapter 28, Statutes of 2021).

Promoting Online Accountability and Safeguards. During late 2021, CAI laid the groundwork for its 2022 introduction of AB 2408 (Cunningham and Wicks), which would impose a clear duty on social media platforms not to use techniques that addict children and to make platforms liable for penalties and damages when social media addiction harms children, especially adolescent girls. The bi-partisan, first-in-the-nation state legislation will work to discourage, through financial accountability, social media companies from manipulating their inventions to be addictive and harmful to kids. At this writing, AB 2408 is pending in the California Legislature.

★ Eliminating Inequities in Child-Centric Systems

Addressing Inequities in the Educational and Foster Care Systems. During 2021, CAI worked to address inequities in our educational and foster care systems that result in the over-suspension of Black male foster youth. While just 5% of the entire state's male youth population are suspended at some point during their school years, suspensions are imposed on nearly one-third of all Black male foster youth. Black foster youth in high school are over seven times more likely than the average high school student to be suspended.

One of CAI's responses to this inequity is to seek to ensure that students in foster care have an experienced advocate working on their behalf. Specifically, we are advocating to require school districts to notify a foster child's state-appointed attorney of any suspensions, pending suspensions, involuntary school transfers, and expulsion proceedings within the same timeframe that they are required to notify a child's parent or guardian. Working together with the Black Minds Matter Coalition and the Children's Law Center, CAI worked hard over the past year to educate policymakers about this issue and advocate for the implementation of appropriate reforms. Our work on this issue has continued into 2022, including co-sponsorship of AB 740 (McCarty) which would extend requirements for parental notification of a pupil's involuntary transfer to a continuation school, suspension, or expulsion, in the case of a foster child, to the foster child's attorney and county social worker, and extend these requirements to charter schools. AB 740 is a two-year bill, and CAI is continuing to advocate for its passage in 2022.

Incorporating Racial Bias in MCLE Trainings. CAI integrated discussions on identifying and addressing racial bias into trainings that it

provides to practitioners and other stakeholders involved in child welfare cases and youth justice proceedings. On the child welfare side, our trainings inform participants on identifying how race and socioeconomic bias impacts at least three key decision points during the first 90 days of a child welfare case, and teach them at least two specific actions that they can take and tools they can use to identify and address bias in the child welfare system. On the youth justice side, our trainings instruct participants on how to recognize the impact of implicit bias on youth who come into contact with the youth justice system; recognize how bias is formed and how it impacts decision-making and communication with youth; and identify strategies for eliminating bias. Our audiences for these trainings include attorneys, judicial officers, social workers, probation officers, tribal representatives, court appointed special advocates, and others.



Other Racial Equity-Focused Efforts. In 2021, CAI’s Jessica Heldman participated in the Children’s Legal Rights Symposium, presenting a segment entitled, “*An Examination of Racism and Racial Discrimination Impacting Dual Status Youth*.” Her corresponding article, co-authored by the Hon. Geoffrey A. Gaither, was published in the [Children’s Legal Rights Journal](#).

At its March 2021 Roundtable, CAI featured discussions on addressing inequitable disciplinary practices in California public schools, led by Dr. Luke Wood, Vice President of Student Affairs & Campus Diversity and Dean’s Distinguished Professor of Edu-

cation at San Diego State University; inequitable suspension and expulsion of foster youth, led by Ann Quirk, Attorney, Children’s Law Center.

Over the past year CAI created an internal Committee on Diversity and Racial Equity to develop a Diversity and Racial Equity Plan for the organization. Working with experts, both internal and external to USD to advise on the development of this plan, our goal over the next year is to implement the plan to ensure ongoing knowledge acquisition and accountability for promoting racial equity and racial justice in our work.

★ Improving Systems Serving Children, Youth, and Families

Improving Permanency Outcomes for Abused and Neglected Children. CAI continued to implement its contract with the Judicial Council of California to prepare and present a training program for professionals engaged in Dependency Court practice entitled “[The Pursuit of Permanency: The First 90 Days](#).” This 12-hour training program presents promising and effective practices and strategies to positively impact permanency efforts and outcomes, with a special focus on the first 90 days of a child welfare case. For purposes of this training program, the term permanency means permanent connections for children and youth—which can be in the form of reunification or finding another permanent home, and includes connections to the child’s biological family, neighborhood, and culture. This training is intended for judicial officers, attorneys, child welfare professionals, probation officers, tribal representatives and advocates, community advocates, CASAs, and other interested persons, and is offered at no cost to the participants.

During 2021, CAI presented two offerings of the 12-hour live, virtual training program. In 2022 CAI will hold four additional offerings—including live, in-person presentations throughout the state.

Enhancing Youth Justice. During 2021, CAI continued to implement its contract with the Judicial Council of California to prepare and present a training program for professionals engaged in Delinquency Court practice. After holding one two-hour webinar in 2020, CAI presented an additional five two-hour webinars as part of this series during 2021 and started to plan a full live, in-person twelve-hour presentation that will take place in August 2022. This training series, “[In Defense of Youth](#),” provides instruction from a faculty of esteemed and experienced professionals on a broad scope of important topics. Participants gain foundational knowledge about the purpose of the juvenile court as well as California delinquency statutes, case law and general court procedure. This training program explores the duties and responsibilities of counsel for children and how these apply in various circumstances and stages of representation including pre-adjudication and post-disposition and when there is risk of transfer to adult court. The program examines the most up to date research on adolescent brain development and offers strategies for effectively interviewing and counseling adolescents. Presenters share information related to trauma, mental health, multi-system involvement, racial bias and other circumstances presenting challenges for youth in order to promote research-based and culturally competent representation.





Addressing Fetal Alcohol Spectrum Disorder in Court-Involved Youth. In 2021, CAI co-sponsored **Roads to Resilience: Identifying FASD in Court-Involved Youth** a two-hour webinar addressing Fetal Alcohol Spectrum Disorder (FASD), a severe developmental disability that begins at birth. Current prevalence rates suggest that 1-5% of school aged children (1 of every 20) meet diagnostic criteria for FASD. Children with FASD have multiple developmental disabilities and increased rates of mental health disorders (ADHD, intellectual disability, sleep disorders, anxiety, and learning disorders). Most children with FASD go through life never being diagnosed. Many of these children are in the foster care system and the failure to provide them with diagnosis-informed care can result in multiple foster placements and high rates of exposure to adverse childhood experiences (ACEs). These lead to secondary disabilities that are largely preventable. For example, the inability to read social cues may lead to delays in development, decision-making, impulse control, and learning which for many results in school failure, behavioral and mental health challenges, and involvement in the juvenile and adult justice system.

It is vital that children with FASD are identified and receive early and ongoing intervention. Advocates and others working with children must learn to recognize FASD and ensure that access to services is based on the level of “severity of the disability” rather than the misleading criteria of IQ. In order to promote recognition and treatment of FASD and improve outcomes for children involved in the court system, CAI brought together Dr. Kenneth Lyons Jones, considered the “father of FAS,” attorney Billy Edwards, and Judge Marion Gaston to provide information about FASD, the challenges of early diagnosis, and the red flags attorneys and judges should be aware of to better identify a child who has been prenatally exposed to alcohol in utero.

Advocating to Make Federal Court Remedies Available to Foster Youth. In 2021, CAI joined an **amicus curiae brief** in *Jonathan R. v. Justice* to challenge the lower court’s reliance on the abstention doctrine to foreclose federal court remedies to foster youth. Amici argued that the district court erred by abstaining under *Younger v. Harris*, 401 U.S. 37 (1971). The Supreme Court has made clear—most recently in *Sprint Communications, Inc. v. Jacobs*, 571 U.S. 69 (2013)—that *Younger* creates a narrow exception to the federal courts’ vital obligation to exercise their jurisdiction. At its core, this exception simply prevents federal courts from interfering with certain state-court proceedings. Plaintiffs’ requested relief, which is directed to the executive branch of the West Virginia state government, would not do so. Amici noted that affirming the decision below would thus expand *Younger* beyond its proper boundaries—and threaten to close the federal courts’ doors to vulnerable people with meritorious claims, like the children in foster care who are plaintiffs here. This case is pending in the U.S. Court of Appeals, Fourth Circuit.

Impacting State Policy. In 2021, CAI successfully advocated for the enactment of the following California measures:

- **AB 317 (Patterson)** strengthens the role of the Office of the Foster Care Ombudsperson by, among other things, clarifying and expanding the responsibilities of the foster care ombudsperson; allowing the ombudsperson to notify the child's dependency counsel of a complaint, as provided; limiting investigations to those reasonably related to the complaint and to foster care; and adding other lawful court orders to ways the ombudsperson may access sealed records for the purpose of an investigation. This bill was signed by the Governor on Sept. 24 (Chapter 293, Statutes of 2021).
- **AB 546 (Maienschein)** adds information regarding housing assistance to the list of information that a county welfare department must provide to a foster youth and must report to the juvenile court, at the review hearing prior to a foster youth's 18th birthday, and at every regularly scheduled hearing thereafter. This bill was signed by the Governor on Oct. 5 (Chapter 519, Statutes of 2021).
- **AB 788 (Calderon).** Prior to this measure, California law allowed a judge to forgo reunification services if the parent or guardian of the child has a history of extensive, abusive, and chronic use of drugs or alcohol and has resisted prior court-ordered treatment for this problem during a three-year period immediately prior to the filing of the petition that brought the child to the court's attention. This bill clarifies that passive resistance, which could include relapsing into drug or alcohol use, is not considered resistance for the purposes of denial of reunification services. This would allow courts to order reunification services, such as drug treatment programs, for parents with a history of drug or alcohol abuse or have relapsed but are otherwise willing to seek treatment. This bill was signed by the Governor on Sept. 22 (Chapter 201, Statutes of 2021).
- **AB 841 (Cunningham)** prohibits a child from being found to be within the jurisdiction of the juvenile court solely due to the failure of the child's parent or alleged parent to pursue court orders seeking custody of the child. This bill was signed by the Governor on July 16 (Chapter 98, Statutes of 2021).



Reviewing the Evolution of Juvenile Justice. In 2021 CAI’s Jessica Heldman and Melanie Delgado put the finishing touches on their report, “***The Evolution of Juvenile Justice and Probation Practices in California***,” which outlines how juvenile justice in California has changed over the past 25 years. It tracks how state law and funding allocations, as well as other policy and practice drivers, have influenced these changes and provides key considerations for the continued evolution of juvenile justice in California. The report reviews an extensive array of data as well as interview and survey findings, specifically examining how juvenile probation policies and practices across the state shifted during the past 25 years, and the impact this has had on youth, families, and communities. Among other things, CAI’s report found evidence over this time that probation departments have increased their commitment to:

- Promoting prevention and alternative responses to formal prosecution and justice system involvement. Survey respondents indicate a shift in the culture of juvenile probation departments over the past several years toward reducing the number of youths formally processed. State funding through competitive grants supported the development of prevention and early intervention efforts in a number of counties, promoting increased collaborative multi-disciplinary service planning and community- and family-based interventions.
- Using validated risk and need assessments to guide decision-making and case planning. In recent years, county adoption of such tools has been near-universal. Survey results suggest these tools are utilized by probation officers in developing individualized case plans and identifying individually tailored interventions and services.
- Developing and promoting alternatives to detention. The number of detained youths has decreased significantly over the past two decades. While certainly attributable to a reduction in arrests, over the same period probation departments have used state funding to develop a variety of alternatives to detention.
- Redesigning or repurposing facilities. With the decrease in the number of youths detained and a recognized willingness to make change, some counties in recent years have either transformed corrections-oriented facilities into more rehabilitative environments or are considering repurposing or closing their nearly empty facilities.
- Shifting toward a supervision approach that balances oversight and the promotion of behavior change using evidence-based practice. Survey respondents overwhelmingly indicate that facilitating positive behavioral change among youth is a key goal of the juvenile probation officer. In support of this goal, the vast majority of those surveyed note that their department focuses on matching youth needs with appropriate services and utilizes a system of graduated responses to probationer transgressions. In addition, almost all counties report implementing some evidence-based practices within their departments.

The report was commissioned by the California Probation Resource Institute, and will be released in 2022.

In a related effort, CAI’s Jessica Heldman wrote a law review article entitled, “***Transforming the Culture of Juvenile Justice in the Wake of Youth Prison Closures***,” published at 26 Lewis & Clark L. Rev. 1 (2022). In the article she argues that the science of adolescent development embraced by the U.S. Supreme Court and the substantial evidence regarding what works to prevent juvenile reoffending provides states with the tools to transform the culture of juvenile justice. A proposed legislative agenda includes updating statutory purpose clauses and enacting statewide policies rooted in the lessons of history and the findings of contemporary research. With the novel concerns raised by a global pandemic and a renewed focus on racial injustice, this is an opportune time for California and other states to revisit and rebuild their systems to ensure they promote the well-being and safety of all children and their communities.



★ Promoting Child Health & Safety

Protecting Child Bicyclists. One of CAI's most significant health and safety efforts during 2021 was its successful opposition of AB 122 (Boerner Horvath), which would have allowed a person riding a bicycle to proceed through a stop sign as if it were a yield sign until Jan. 1, 2028. Finding this measure to be extremely concerning for children, who may not know how to judge vehicle speeds or exercise necessary caution to yield to traffic when appropriate, CAI opposed this measure. Governor Newsom vetoed the bill on Oct. 8, 2021—expressing the concerns voiced by CAI and other child advocacy groups.



★ Leadership, Collaboration, & Special Projects

Promoting the Replication of Successful Child-Related Legislation. During 2021, CAI continued to develop a repository of model state statutes with regard to a wide variety of issue areas (child welfare, juvenile justice, education, health, etc.). These measures will be featured on a website, making them available for advocates across the country to reference and use as templates in their own work. This project, which is being undertaken in conjunction with the new Policy Committee of the Partnership for America's Children (PAC), has an important underlying rationale. The PAC has child advocate organization members in 42 state capitols, but outstanding and successful state statutes benefitting children are not adequately promoted between jurisdictions. A website with both the text and the evidence attending these laws will ideally provide the opportunity for national dissemination of policies that can be replicated in numerous state legislatures.

Collaborating and Leadership. CAI continued to participate in the governance of major national and regional organizations, including the Partnership for America's Children, where CAI's Bob Fellmeth serves on the Board, as counsel, and currently as Chair of its Policy Committee; Public Citizen, First Star, the Maternal and Child Health Access Foundation, and the National Association of Counsel for Children, where CAI's Amy Harfeld serves on the Board and the Policy Committee. We have continued as active members of the National Child Abuse Coalition, the National Mental Health and Child Welfare Coalition, the Coalition for Juvenile Justice, the Child Tax Credit Coalition, the Families Over Facilities collaborative, the Transition Age Foster Youth National Coalition, and the California Coalition for the Safety of Children's Health (CCSCH), headed by CAI's former policy advocate Steve Barrow.

Honoring Outstanding Child-Related Journalism. The Price Child Health and Welfare Journalism Awards, administered by CAI since 1992, recognize excellence in journalism—specifically, significant stories, series, or bodies of work that advance the understanding of, and enhance public discourse on, child health and well-being issues, including but not limited to health, health care reform, child nutrition, child safety, child poverty, child care, education, child abuse, foster care, former foster youth, juvenile justice, and children with special needs. In 2020, the selection committee focused on journalistic works that revealed the impact that the pandemic was having on children and youth. The 2021 Price Child Health and Welfare Journalism Awards were presented to two journalists whose work featured in-depth discussion and exploration of the child care crisis, both before and during the COVID-19 pandemic: Karen D’Souza of EdSource, and Isabella Vanderheiden of the Eureka Times-Standard.

Convening California’s Child Advocates. In 2021, CAI’s Melanie Delgado convened four meetings of our Children’s Advocates Roundtable, featuring timely and helpful discussions on a variety of child- and youth-related topics:

- The March 18, 2021 Roundtable featured discussions on addressing inequitable disciplinary practices in California public schools, led by Dr. Luke Wood, Vice President of Student Affairs & Campus Diversity and Dean’s Distinguished Professor of Education at San Diego State University; inequitable suspension and expulsion of foster youth, led by Ann Quirk, Attorney, Children’s Law Center; and participants’ legislative, budget, and other advocacy priorities.
- The June 17, 2021 Roundtable featured discussions on universal basic income for foster youth and AB 739, led by Sevely Sngun, Health and Economic Justice Policy Associate, Children’s Defense Fund; the California budget, led by Scott Graves, Director of Research, California Budget and Policy Center; CAPTA and Social Security takings, led by CAI’s National Policy Director Amy Harfeld; and participants’ legislative, budget, and other advocacy priorities.
- The September 16, 2021 Roundtable featured discussions on California’s new school meals for all policy, led by Anne Moertel, Outreach and Communications Manager, Center for Ecoliteracy and Nick Ellis, Research Director, Office of Kat Taylor; child nutrition and opportunities for action, led by Melissa Cannon, Senior Advocate, Nourish California, Karen Farley, California WIC Association, and Sarah Diaz, California WIC Association; and participants’ legislative, budget, and other advocacy priorities.
- The December 9, 2021 Roundtable featured a discussion on the status and future of child care in California, featuring an expert panel consisting of Donna Sneeringer, Chief Strategy Officer, Child Care Resource Center, Kristen Schumacher, Senior Policy Analyst, California Budget and Policy Center, Mary Ignatius, Statewide Organizer, Parent Voices, Keisha Nzewi, Director of Public Policy, California Child Care Resource and Referral Network, and Nina Buthee, Executive Director, EveryChild California; and participants’ legislative, budget, and other advocacy priorities.



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We thank those who make our work possible, and in particular, the late Sol and Helen Price; Robert and Allison Price and their family; the late Paul A. Peterson and his family; and Louise Horvitz. Their vision of what we should be remains our charted course. We are also grateful to our Council for Children and our Dean and colleagues on the faculty of the USD School of Law, many of whom contribute to CAI.

We are also thankful for the generous grants, gifts, and other funding contributed or directed to CAI by the following individuals and organizations between January 1, 2021, and December 31, 2021, or in response to CAI's 2021 holiday solicitation. CAI is fortunate to have the personal backing of many highly respected individuals. Together, these funds support CAI's advocacy, outreach, and public education efforts at the local, state, and federal levels. Without them—*without you*—CAI would not be able to do what we do.

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While every effort has been made to ensure accuracy, we apologize for any mistakes or omissions.

A final note about Sol and Helen Price, that we have repeated each year, and which we shall continue to repeat. Their passing will never diminish our duty to represent their ideals for child representation — we strive to be an important part of their legacy. All of us at CAI feel their presence, and what they would want us to do is our guiding lodestar.

Similarly, we are eternally grateful to the late Paul Peterson and his entire family. Like the Price family, the Peterson family has been a crucial part of our history, and their generosity has been instrumental in allowing us to protect and promote the interests of children and youth, now and into the future.

Council for Children

CAI is guided by the Council for Children, an advisory body that meets periodically to review policy decisions and recommend action priorities. Its members are professionals and community leaders who share a vision to improve the quality of life for children in California. CAI is also honored to have former Council members who served for many years remain a part of the Council as emeritus members. Accordingly, the CAI Council for Children includes the following:

Council Members:

Bill Bentley *Child Advocate*

Denise Moreno Ducheny *Attorney, Former State Senator*

Anne E. Fragasso, Esq. *California Appellate Project, Staff Attorney*

John M. Goldenring, M.D., M.P.H., J.D. *Health Plan Medical Director, Pediatrician and Adolescent Medicine specialist, and attorney at law*

Hon. Leon S. Kaplan *Retired Judge, Los Angeles Superior Court*

David M. Meyers *Chief Operating Officer, Dependency Legal Services*

Thomas A. Papageorge, J.D. *Special Prosecutor, Economic Crimes Division, San Diego District Attorney's Office*

Gary F. Redenbacher, J.D. (Council Chair) *Attorney at law*

Gary Richwald, M.D., M.P.H. (Council Vice-Chair) *Chief Medical Officer, Reel Health*

Gloria Perez Samson *Retired School Administrator*

Ann Segal *Consultant*

John Thelan *Senior Vice President, Costco Wholesale*

Emeritus Members:

Robert Black, M.D.[†]

Birt Harvey, M.D. *Professor of Pediatrics Emeritus, Stanford University*

Louise Horvitz, M.S.W., Psy.D. *Licensed clinical social worker, individual and family psychotherapist*

James B. McKenna[†]

Paul A. Peterson, J.D.[†]

Blair L. Sadler, J.D. *Past President and Chief Executive Officer, Children's Hospital and Health Center*

Alan E. Shumacher, M.D., F.A.A.P. *Retired neonatologist; Past President of the Medical Board of California; President, Federation of State Medical Boards of the United States*

Owen Smith *Past President, Anzalone & Associates*

[†] Deceased

Staff

During 2021, CAI was extremely fortunate to have the following passionate and dedicated team of employees, all of whom contributed greatly to the work CAI did — and the achievements CAI made on behalf of children and youth across the state and nation:

Tina Calvert *Executive Assistant*

Melanie Delgado *Senior Staff Attorney / Director of Transition Age Youth Projects*

Robert C. Fellmeth *Price Professor of Public Interest Law, CAI Executive Director*

Katie Gonzalez *Assistant Director, Public Interest Law Communications*

Amy Harfeld *National Policy Director / Senior Staff Attorney*

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