

Youth, Rights & Justice

ATTORNEYS AT LAW

To: Senate Committee on Healthcare and Human Services, 2013 Oregon Legislature

From: Mark McKechnie, Executive Director, Youth, Rights & Justice

Date: March 21, 2013

Re: Support for SB 123

Chair Monnes Anderson and Members of the Committee:

Support for SB 123

Youth, Rights & Justice (formerly the Juvenile Rights Project) has represented over 50,000 children, youth and parents in the juvenile court system since 1975, including representation in the local juvenile court, Oregon Court of Appeals, Oregon Supreme Court, and in class-action litigation.

Youth, Rights & Justice supports SB 123 and encourages its passage, with the inclusion of the Dash 1 amendments. Foster youth who are able to advocate for themselves need and deserve information. They also need to know that their health and safety is not solely at the mercy of a single case worker or foster parent. In the unfortunate situations when those charged with protecting the welfare and well-being of children fail in their responsibilities, foster youth need to be informed that there are other places to turn. They are wards of the court and need to have the ability to access the court's protection by contacting their attorney or CASA.

The Oregon Legislature and U.S. Congress have enacted important rights and benefits for foster youth, and SB 123 also helps to ensure that youth are better informed of these rights and benefits.

Necessary, But Not Sufficient

We also want to note that SB 123 was inspired in part by a guide for foster youth, "A Teen's Legal Guide to Foster Care in Oregon," that we have provided for our clients and others through our web site over the past several years. They say that "knowledge is power," but we want to make it clear that guides like ours are meant to supplement the attorney-client relationship that our lawyers have with their clients who are in foster care. No piece of paper, or 40-page guide, can replace a dedicated and knowledgeable adult advocate whose job it is to provide legal counsel and invoke legal protections for children and youth in foster care.

Children in foster care are already vulnerable. It is unreasonable to expect them to fix problems on their own. We have been very disturbed by some of the stories we have heard from foster youth around the state as they discuss the need for this Bill of Rights. Youth should not fear or suffer retaliation for making complaints or raising concerns about their care. It is imperative that they have access to attorneys whose only obligation is to represent the interests of their clients. We also need to make sure that each youth has an attorney appointed who has the expertise and the time to respond when their clients call and to act whenever necessary.

An independent, not-for-profit law firm, Est. 1975

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