



Family Services
of metro orlando

FINAL REPORT OF THE
REGIS LITTLE TASK FORCE



APRIL 7, 2010

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EXECUTIVE SUMMARY

Regis Little was an eighteen-year-old young adult just getting his start in life. Regis, who faced the challenges of developmental disabilities and an array of other issues, also had the unfortunate fate of being abused and neglected by the ones who were supposed to care for and protect him the most. Due to this, Regis grew up in foster care where he stayed until he turned 18. Due to a string of unfortunate circumstances and poor choices, Regis was declining any assistance offered to him by state agencies. In July 2009, just one month before Regis was to turn 19 years old, he was found stabbed to death in Orlando.


As a result of this tragedy, Family Services of Metro Orlando, together with the local Department of Children and Families (DCF), engaged City of Life Foundation to assemble the Regis Little Task Force. The Task Force was charged, not with blaming agencies or persons involved with Regis, but with assessing Regis' care and developing specific improvement recommendations for youth with disabilities aging out of foster care.


The Task Force was made up of community leaders from an array of social service as well as private organizations. The Task Force met between October 2009 and April 2010, and identified three areas of focus:


- Foster Youth with Disabilities Turning 18
- Adult Connections for Foster Youth
- Youth Specific Data & Geography

An overview of recommendations made by the Task Force is noted below:



FOSTER YOUTH WITH DISABILITIES TURNING 18

 Funding is needed to provide a “champion” for foster youth transitioning out of foster care in each region of the state. Specific focus is needed on youth who qualify for services through the Agency for Persons with Disabilities (APD).



 Guardianship and guardian advocacy, as outlined within Florida Statute, should be utilized more often for foster youth with disabilities turning 18.

-  Youth must be involved as early and as often as possible in decision-making and long-term planning for their transition to adulthood.

ADULT CONNECTIONS FOR FOSTER YOUTH

-  A statewide approach is needed to link foster youth to a positive and permanent known and reliable adult, such as is currently being implemented locally within the Family Finders Program. Family Finding databases and positions should be funding in each DCF region to ensure establishing these permanent connections remains of paramount importance statewide.
-  These permanent adult connections should not be paid staff or mentors, but should be a family member or other close adult, whenever possible. These adults should be able to act as a true resource to the youth for whatever the youth identifies as a personal need. Foster youth with disabilities may be able to benefit extraordinarily by establishing permanent connections with adults, who consequently may be able to function as a guardian advocate as well.

YOUTH SPECIFIC DATA & GEOGRAPHY

-  The Department of Children and Families, in partnership with statewide Community Based Care organizations, should develop and fund a statewide database in which foster youth's Child Resource Records, to include appropriate educational records and records from other agencies serving the youth, can be stored and accessed. In regard to educational records specifically, it is recommended the Florida School System utilize an appropriate state-wide electronic system that will allow computer sharing of records in as expeditious a manner as possible.
-  While the implementation of such a statewide Child Resource Record database is being pursued, it is recommended that a statewide audit of Child Resource Records commence.



In the immediate interim, a checklist of what should be contained in a Child Resource Record needs to be created and shared with Child Protective Investigators, Dependency Case Managers, Foster Parents, Guardians ad Litem, Attorneys at Litem and the child, as appropriate.

The Task Force will be engaging the local community and statewide advocates for children to pursue action surrounding these recommendations.

HISTORY OF REGIS LITTLE

In the early morning hours of July 13, 2009, the body of Regis Cordell Little was found by the Orlando Police Department in front of the Festival Bay Mall on International Drive in Orlando, Florida. Regis Little had been fatally stabbed. The Orlando Police Department has ruled his death a homicide and the investigation is ongoing.

Regis Little, 18, aged out of foster care in August of 2008. Regis had been in and out of the foster care system his entire life. Regis remained in foster care from 2000 until he aged out of the foster care system in 2008. Since 2000, Regis resided in seven different placements and was ordered into one Juvenile Detention program through the Department of Juvenile Justice.

Regis had a multitude of issues which required careful planning throughout his formative years. These issues were complicated by his low IQ and developmental disabilities.

Upon turning 18, Regis was eligible to receive ongoing assistance through the Independent Living Program (for foster youth), as well as the Agency for Persons with Disabilities (APD). APD is specifically tasked with serving the needs of Floridians with developmental disabilities. Regis, however, declined APD services and only wanted minimal involvement from his Independent Living Coordinator. As an adult, Regis had the authority to dictate his involvement with these services. The concern existed, however, as to whether Regis had the capacity to make such critical decisions on his own.

As a result of Regis' tragic death, the Regis Little Task Force was assembled to further assess the multiple issues surrounding youth such as Regis aging out of foster care.

GOALS OF THE REGIS LITTLE TASK FORCE

After Regis' murder, Family Services of Metro Orlando conducted a Quality Review of Regis' case. While many strengths were identified regarding the services provided to Regis, several opportunities for improvement were also noted. Family Services of Metro Orlando, together with the local Department of Children and Families (DCF), engaged City of Life Foundation to assemble the Regis Little Task Force. The Task Force was charged, not with blaming agencies or persons involved with Regis, but with assessing Regis' care and developing specific improvement recommendations for youth with disabilities aging out of foster care.

TASK FORCE MEMBERSHIP

The Regis Little Task Force is made up of the following members:

Task Force Members	Agency
Dick Batchelor	Florida Children's First
Monty Castevens	Special Olympics Florida
Gerard Glynn*	Barry University & City of Life Foundation
Virginia Goren	City of Life Foundation
Susan Khoury	Legal Aid Society, Orange County Bar Association
Randall King	Family Services of Metro Orlando, Board of Directors
Randy Means	State Attorney's Office, 9th Judicial Circuit
Charlotte Melton	Central Florida Mental Health Association
June Moore	Therapeutic Foster Parent
Katie Porta	Quest, Inc.
Judge Jose Rodriguez	Ninth Judicial Circuit Court
Michael Springer	Former Foster Youth




*Task Force Chairman

The following individuals are Task Force Supporters who have attended at least one Task Force meeting:

Task Force Supporters	Agency
Michelle Bellamy	Quest, Inc.
Natalie Bouler	Family Services of Metro Orlando
Allan Chernoff	City of Life Foundation
John Cooper	Department of Children and Families, Regional Administrator
Ingrid Figueroa	Substance Abuse and Mental Health
Jerome Hightower	Department of Juvenile Justice
Valentina Jolta	Intervention Services, Inc.
Greg Kurth	Family Services of Metro Orlando, Chief Executive Officer
Beth Lewis	Family Services of Metro Orlando, Chief Operating Officer
Karen Norton	Family Services of Metro Orlando, Senior Director of Quality
Merari Perez	Agency for Persons with Disabilities
Maggie Reynolds	Orange County Public Schools
Cheri Williams	Family Services of Metro Orlando

TASK FORCE ACTION

The Regis Little Task Force initially convened in October 2009. Between October 2009 and April 2010, several meetings of the Task Force were held. The first two meetings served as an introductory overview of the local child welfare system, as well as Regis' case. At the conclusion of the second meeting, the Task Force identified three focus areas around which to develop recommendations:

-  Foster Youth with Disabilities Turning 18
-  Adult Connections for Foster Youth
-  Youth Specific Data & Geography

Each of these focus areas is discussed in detail below.




FOSTER YOUTH WITH DISABILITIES TURNING 18

IMPACT ON REGIS

Regis was a youth who essentially grew up in foster care. Regis was placed in nine different locations between 2000 and 2008 when he turned 18. All of these placements were either group homes or locked facilities. Regis clearly had developmental disabilities and a low IQ score, which caused his adult functioning to be in question. While attempts were made to wrap Regis in services prior to him aging out of foster care, Regis declined most services.

AVAILABLE RESEARCH ON THIS TOPIC

The National Council on Disability completed a report in February 2008 entitled, “Youth with Disabilities in the Foster Care System: Barriers to Success and Proposed Policy Solutions.” This report focused on the many barriers foster youth with disabilities face, especially in their transition to adulthood. The National Council gathered the following research-based facts:

-  According to the U.S. Census Bureau, it is estimated that approximately 13% of children aged 6-14 in the general population have at least one disability (Mack, 2002).
-  Youth with disabilities are 1.6 to 3.4 times more likely to be abused than youth without disabilities (Anderson & Larson, 2005/2006).
-  Youth aging out of foster care are more likely to experience pregnancy, arrests, unemployment, homelessness and inability to maintain health insurance coverage (National Council on Disability, 2008).

Based on the facts above, it is clear that youth with disabilities aging out of the foster care system face myriad challenges. The instability these youth have likely experienced in foster care, coupled with their disabilities, leaves them at great risk for very poor experiences as they transition to adulthood. Very few young adults have the ability to make hard decisions about life at age eighteen. Young adults with disabilities may have even more difficulty making these critical decisions.

TASK FORCE DISCUSSION ON THE TOPIC

The Task Force discussed in detail concerns that Regis, who was developmentally disabled, was allowed to make decisions on his own about the services he would receive upon turning 18. It was discussed that foster youth with disabilities present a significant quandary to professionals in the varying systems seeking to serve them. Some professionals' priorities focus on empowering the youth to make their own decisions, while other priorities may focus on ensuring a youth is provided guided support in decision-making. Serving this population of youth is very time and resource intensive. There is also a concern that is easy for some with overloaded workloads to accept a rejection of services by an incapacitated client as "empowering." The Task Force wished to explore options pertaining to legal guardianship of foster youth with disabilities who will be "aging-out" of foster care.




To that end, Task Force Member, Susan Khoury with the Legal Aid Society, Orange County Bar Association in conjunction with Task Force guest, Ericka Garcia, also from the Legal Aid Society, met with the Task Force on January 13, 2010 and informed the group about guardianship options for this population.

a. Guardian Advocate

Per Florida Statute Chapter 393 (2)(a), "A circuit court may appoint a guardian advocate, without an adjudication of incapacity, for a person with developmental disabilities, if the person lacks the decision making ability to do some, but not all, of the decision making tasks necessary to care for his or her person or property or if the person has voluntarily petitioned for the appointment of a guardian advocate."

The individual who petitions the court for guardian advocate status must prove to the court the areas in which the youth's decision making capabilities are in question.

Several barriers in this process were noted by the presenters:

-  **Cost**—Locally in Orange and Osceola Counties, it costs at least \$235 to complete the Guardian Advocate process. It is unclear who would be responsible for these costs.
-  **Legal Issues**—It remains unclear who would file the Guardian Advocate petition on behalf of the foster youth with disabilities aging out of foster care.
-  **Commitment**—There are also issues with who will serve as Guardian Advocates over these youth, and how long they would be committing to serve in this role.

b. Formal Guardianship

Per Florida Statute Chapter 744, full guardianship over an individual is also possible, but this involves the court rendering a ruling that the individual is incapacitated.

After a presentation on the options of guardianship, the Task Force concurred that the guardian advocate option would serve as an excellent option for the population we are seeking to better serve. The Task Force discussed potential barriers and aids, and rendered the following recommendation.

TASK FORCE RECOMMENDATIONS

The Task Force, after exploring the legal options pertaining to guardianship and guardian advocacy, recommends:

Funding needs to be provided for a “champion” for foster youth with disabilities transitioning out of foster care. This champion is especially needed for youth transitioning out of foster care who qualify for APD services. There should be such a person funded in each region of the Department of Children and Families and possibly for each Community-

Based Care lead agency. This champion would be in addition to the child's other case management services.

The Task Force agrees this champion must be well-educated in the area of guardianship and guardian advocacy, and must be able to take appropriate action on behalf of the youth to initiate the guardian advocate or guardian petition, when prudent. The champion would ensure that appropriate applications for adult social security benefits, Agency for Persons with Disabilities applications, transitional services in school, appropriate housing and other services have been applied for early in the child's adolescence.

This champion must also be tasked with involving the youth as early and as often as possible in decision-making and long-term planning for the youth's transition to adulthood. These youth should be educated about their options, such as vocational education, supported living, etc. The champion should also continue to work with the youth until stabilized as an adult, even if this does not occur until the youth is 22 years old.

Locally in the Ninth Judicial Circuit, a champion could possibly be part of Family Services of Metro Orlando, Legal Aid Society, Intervention Services Inc., or another appropriate service provider. Service delivery models would vary around the state based on the structure within each Community Based Care organization.

ADULT CONNECTIONS FOR FOSTER YOUTH

IMPACT ON REGIS

Regis was a youth who aged out of foster care after having resided in group and locked treatment facilities for at least 8 years. Although Regis did have connections to family members such as his adult sister, and a mentor, his ability to truly connect with individuals was compromised due to an array of issues. This was compounded by the institutionalization he experienced throughout his adolescence.

AVAILABLE RESEARCH ON THIS TOPIC

According to the National Council on Disability (2008), many foster youth do not have strong connections to adults in their lives. Typically, these youth have endured numerous changes in case managers, caregivers, school teachers, etc. and have not had the ability to form lasting relationships. Some youth also run away from placements and fail to participate in typical societal experiences, such as joining clubs, getting a job, and spending extended time with friends. The National Council on Disability underscores that even when foster youth have the ability to connect with individuals and groups, many do not because they do not have consistently invested adults to encourage and guide them to make such decisions. Ultimately many of these foster youth, especially those with disabilities, may end up feeling isolated and rejected from such “normal” societal experiences.

TASK FORCE DISCUSSION ON THE TOPIC

The Task Force was interested in what the local system of care is doing to encourage permanent connections for foster youth. Karen Norton, Senior Director of Quality with Family Services of Metro Orlando, attended the Task Force Meeting on January 13, 2010 and presented an overview of the new Family Finders Program.

Ms. Norton explained that Family Services of Metro Orlando initiated the new nationally acclaimed Family Finders Program throughout the system of care in October 2009. Each contracted Case Management Organization is now funded to have 1-2 full-time Family Finders. The sole purpose of this position is to research birth family connections for foster youth and to then connect those youth with their families. This occurs upon initial removal and throughout the youth’s stay in foster care. Through this Family Finders model, Family Team Conferencing and group decision-making is often utilized.

While it may not always be possible to permanently place foster youth with their identified family members, the permanent familial connections we can foster between the youth and their family members could last a lifetime. Ms. Norton underscored that this is a new and innovative approach to permanency that has been well-received within the system of care.

TASK FORCE RECOMMENDATIONS

Based on the information presented to the Task Force, the Task Force recommends:

Foster youth need a positive and permanent connection to a known and reliable adult, versus being provided with paid short-term professional mentors. The Task Force fully supports the implementation of the Family Finders Program by Family Services of Metro Orlando, but recommends a statewide approach be taken to ensure foster youth are linked to permanent adults. Family Finding databases and positions should be funding in each DCF region to ensure establishing these permanent connections remains of paramount importance statewide.

These permanent adult connections, as stated above, should not be paid staff or mentors, who simply take youth to the movies occasionally. These adult connections should be able to act as a true resource to the youth for whatever the youth identifies as a personal need, such as purchasing a car, renting an apartment, applying for student financial aid, etc.

Foster youth with disabilities may be able to benefit extraordinarily by establishing permanent connections with adults, who consequently may be able to function as a guardian advocate as well.

The Task Force would like to underscore that these permanent adult connections should be made with the child's biological family members whenever possible. The youth should also be involved in the decision-making regarding who their permanent adult connections will be. Involving foster youth in this type of decision-making is key to giving them some sense of control and power over their personal situations, as often these youth have been uninvolved in decision-making regarding their circumstances.

YOUTH SPECIFIC DATA & GEOGRAPHY

IMPACT ON REGIS

Regis was a young man involved in multiple social service systems, including the Department of Children and Families; Department of Juvenile Justice; Agency for Persons with Disabilities; Intervention Services, Inc.;

One Hope United; Family Services of Metro Orlando; and the Orange County School System, just to name a few. A chart of the services provided is attached as an appendix to this report.

While Regis was provided with services from so many agencies during his most recent 8-year stay in foster care, information was not always seamlessly shared amongst professionals. Specifically, it appears that when Regis transferred between School Districts, gaps in service existed while receiving schools were awaiting his previous school records. This gap is especially harmful to children like Regis who have an Individualized Education Plan.

AVAILABLE RESEARCH ON THIS TOPIC

According to The Florida Bar Commission on the Legal Needs of Children, Confidentiality Subcommittee (2002), there is a delicate balance between preserving one's right to privacy, and sharing pertinent information to ensure the timely and efficient delivery of services. After all, Americans have the fundamental right "to be let alone," as afforded to us by the U.S. Constitution. But how does this help ensure pertinent information is shared amongst professionals seeking to best serve families, especially foster youth with disabilities?

Ultimately, the Florida Bar Subcommittee reached the conclusion that agencies should share only the information deemed critical to best serve the family or youth, all the while preserving the family's confidentiality and right to privacy. Specific to child welfare and school records, this subcommittee recommended that Dependency Courts have access to school and child welfare records. Similarly, in the final report from the Florida Bar Commission on the Legal Needs of Children (2002), it was also recommended that Florida's legislature focus on improving technology and information-sharing between dependency courts and other social services agencies.

In Florida, each child placed in foster care is required to have a Child Resource Record, maintained by the Case Manager and caregiver. This record defined by Florida Administrative Code 65C-30.001 (24) as: "...a standardized record developed and maintained for every child entering out-of-home care that contains copies of the basic legal, demographic, available

and accessible educational, and available and accessible medical and psychological information pertaining to a specific child, as well as any documents necessary for a child to receive medical treatment and educational services. Where medical or educational information is not available and accessible, written documentation of the efforts made to obtain the information must be in the file. The Child's Resource Record (CRR) shall be housed where the child is placed and shall accompany the child to every health encounter and shall be updated as events occur. All information in the CRR shall be recorded in the department's statewide automated child welfare information system."

Children with disabilities in foster care have substantial records from many sources. They may have substantial school records, including Individualized Education Plans and educational assessments, Comprehensive Behavioral Health Assessments, psychological or psychiatric assessments, Agency for Persons with Disabilities assessments, inpatient records and ongoing therapy reports. Many of these records should be in the Child Resource Record but some may be held by various agencies.

Although the child welfare system is required to maintain and update the Child Resource Record, it is well known across the system of care and state that Child Resource Records are not well maintained or updated. Furthermore, there is currently no statewide system to monitor the integrity of these vital records.

TASK FORCE DISCUSSION ON THE TOPIC

In efforts to allow the Task Force to learn more about Child Resource Records, Cheri Williams, Assistant Director of Quality and Training at Family Services of Metro Orlando, presented an overview of such records within a Task Force meeting. The Task Force was particularly concerned regarding a lack of accountability for Child Resource Records. It was acknowledged that often times, a child enters a placement with very minimal, if any, information in their Child Resource Record. This record is typically created by the Child Protective Investigator that removed the child. The Case Manager assigned to the child, in conjunction with the caregiver, is responsible for ensuring the Child Resource Record is updated accordingly. The Task Force was curious what training child welfare professionals and

foster parents receive on the Child Resource Record. This specific training was noted to be limited. The Task Force was unsure if a checklist existed to guide child welfare professionals and foster parents about what specific information was supposed to be contained in the Child Resource Record. No one knew of such a checklist.

The Task Force also wished to learn more about the maintenance and sharing of educational records for foster youth. To that end, Margaret Reynolds, Senior Manager of Student Advocacy with Orange County Public Schools, presented at a Task Force meeting. Ms. Reynolds explained the confines of the Federal Education Rights and Privacy Act (FERPA), as well as the logistical challenges surrounding transferring records between schools. It was discussed that sharing records between schools in the same county is a challenge, much less when sharing records across school districts. Within her recent research on the topic, Ms. Reynolds learned that Florida does have an electronic system for sharing educational records, “FASTER” (Florida Education System for Transferring Educational Records). This system has reportedly been in place since 1988, although it appears to not be widely used. Ms. Reynolds and Valentina Jolta, Educational Liaison with Intervention Services Inc., will be further exploring current use of this system.

The Task Force discussed at length the need to enter the 21st Century by developing an electronic Child Resource Record, to include educational records that could be accessible to all appropriate parties.

TASK FORCE RECOMMENDATIONS

Based on the information presented to the Task Force, the Task Force is recommending the following:

All children in foster care deserve the best care possible. In order to facilitate this, their caregivers must have access to as much information as possible about the child, including information from other agencies serving that child. Now that light has been shed on the issue of insufficient Child Resource Records, immediate action is needed on a statewide level. The Department of Children and Families, in partnership with statewide Community Based Care organizations, should develop and fund a statewide database in which foster youth’s Child Resource Records, to include

appropriate educational records and records from other agencies serving the youth, can be stored and accessed. Access to this system should be given to at least Child Protective Investigators, Dependency Case Managers, Foster Parents, Guardians ad Litem, Attorneys at Litem, and the child, as appropriate. At a minimum, Child Protective Investigators, Dependency Case Managers, and Foster Parents should all have the ability to upload information to the system. This will help ensure efficient sharing of information and will support the child receiving the highest quality of care possible.

In regard to educational records specifically, it is recommended the Florida School System utilize an appropriate state-wide electronic system (possible FASTER) that will allow computer sharing of records in as expeditious a manner as possible. This will help ensure foster children, especially those with disabilities, are receiving the appropriate educational services immediately upon placement in a new school. Since foster youth with disabilities are already at higher risk for poor educational outcomes, as evidence by research cited above, time is of the essence when linking these youth to school-based services. And since this population also tends to change school frequently, there is no reason this known gap, which is truly a disservice to the most vulnerable of foster youth, should continue.

The Task Force recognizes a statewide database is a rather long-term goal and that more immediate action is also needed. While the implementation of such a statewide Child Resource Record database is being pursued, it is recommended that a statewide audit of Child Resource Records commence. Family Services of Metro Orlando will be launching an audit of select Child Resource Records in March 2010, but since this is known to be a statewide issue, a macro approach to this very real problem is needed. Such an audit could be pursued as a statewide DCF Quality Assurance Special Review, or possibly through the Office of Program Policy Analysis and Government Accountability (OPPAGA).

In the interim, a checklist of what should be contained in a Child Resource Record needs to be created and shared with Child Protective Investigators, Dependency Case Managers, Foster Parents, Guardians ad Litem, Attorneys at Litem, and the child, as appropriate. This will help ensure all parties are fully aware of what should be contained in the Child Resource

Record, to include educational and other records from any agency serving the child, so that concerted efforts may be made immediately to increase the quality of such records. Training on this checklist would need to be delivered to all these parties as well.

CONCLUSION

Regis Little was a young adult who grew up in foster care. Due to many unfortunate life circumstances, Regis was institutionalized for most of his years in care. While service providers did what they could to empower Regis to live a productive adult life, the outcome for this youth was a tragedy. It is the hope of the Regis Little Task Force that Regis' life and tragic death were not in vain. Through tackling the three above-noted areas: 1) Foster youth with disabilities turning 18; 2) Adult connections for foster youth; and 3) Youth specific data & geography, the Task Force anticipates our community will rally around the most vulnerable of our foster youth so that positive outcomes are achieved by these young adults leaving foster care.

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