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HEAR MY VOICE—PERSPECTIVES OF CURRENT AND FORMER FOSTER YOUTH

Theo Liebmann and Emily Madden

The youth participation movement begins with the basic premise that, without hearing and heeding the voices of those affected by the policies and practices we create, our efforts to improve the systems designed to help them are doomed to failure. This article provides accounts by court-involved youth and emerging adults of their frustrations and successes and firsthand perspectives on the nature of the challenges confronting them. These interviews, narratives, and poems provide the fundamental context for the incisive and thought-provoking articles that follow.

Keywords: *youth; participation; foster care; perspective; aging-out; transition*

The inspiring and passionate movement to incorporate the voices of current and former court-involved youth into the decisions made about them has grown steadily in recent years. Foster youth and foster alumni-run organizations such as the California Youth Connection have taken the initiative to promote important legislation and policies,¹ and forums such as Represent Magazine: The Voice of Youth in Care² have ensured that youth perspectives are included in public discussion. In addition, support for youth participation has come from a host of prominent national and international entities and individuals, including the American Bar Association,³ the National Council on Juvenile and Family Court Judges,⁴ the Pew Commission,⁵ the United Nations Convention on the Rights of the Child,⁶ and numerous scholars and practitioners.⁷

The youth participation movement begins with the basic premise that, without hearing and heeding the voices of those affected by the policies and practices we create, our efforts to improve the systems designed to help them are doomed to failure. Accounts by court-involved youth and emerging adults of their frustrations and successes, and their analyses of the systems in which they are enmeshed, provide vital firsthand perspectives on the nature of the challenges confronting them, how to address those challenges, and what a lack of attention to those challenges will mean. It is therefore fitting to begin this Special Issue with the words of those most knowledgeable about the failures of the policies and practices we have created and most eloquent about the costs of leaving those failures unaddressed—the youth themselves. These powerful interviews, narratives, and poems provide the fundamental context for the incisive and thought-provoking articles that follow.⁸

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TRANSITIONING TO ADULTHOOD—YEARNING FOR SUPPORT AND GUIDANCE

I wish I had someone with me, you know, like a mentor, for my entire life. I mean, I'm fine with all the changes in my social worker but . . . I never really met someone in the system or someone, [a] mentor, that was with me my entire life.

Former foster youth, California

I don't feel like [the child welfare system] is all overly negative, a lot of the people, they didn't choose to be in care to begin with, and some people will do better than others. More support would help. It's not fair, it really isn't. I just have to do it for myself. More support would help because it's the foundation of everything. Without it, you're lost.

I'm in the fortunate situation being in care in my [Supervised Independent Living Program], I didn't have the best experiences but I wouldn't take it back. It's made me who I am.

To an extent, my voice has been heard. I'm the kind of person who is going to be heard regardless. Don't get me wrong, I'm saying a lot of bad things [about social services], and they're not that bad, but I just wish I had more support.

As a whole, [foster care]'s been good to me. I got a few scholarships. But it's just like towards the tail end, there is no support. At the end of the day I know what I have to do for me. It makes it seem like I'm just complaining. My Medicaid lapsed, and I had to get the runaround. I feel like stuff like that shouldn't happen. I just feel like it's unfair. They say "I'm here to help you, we understand you have a hard life," but . . . in the end they aren't there.

I don't want you to think I'm just bashing and bashing the system. But I have learned a lot. That's a benefit that I did get from being in care. How to be independent. When you really don't have anybody, you have to depend on yourself because that's all you have. It's unfortunate but it's not so bad.

Tamika Webb, 20, New York

It is the end of my first term in college. All the students here talked about how they went home and spent time with their families during Christmas break. When they asked me what I did, I said I slept and wished that my family would come back to me.

All I ever wanted was to be able to spend time with my family. I wanted to have someone tell me "I love you" so much and "I believe in you."

Josh, former foster youth, Oregon

My foster family was still there, even when I lived on my own and the foster care system kicked me out. And, I didn't get adopted by them when I aged out, and I can still call them. I call my foster family mom and dad. I never had nobody like that in my life, so I'm really appreciative of them to stay by my side, even when they're not getting paid. They're just loving me for me.

Former foster youth, Iowa

I feel like the system is our parent until you turn twenty-one and then, when you turn twenty-one, they forget about us and we are left to fend for ourselves. It's difficult. I've had to make my own plan . . . I've had help from people. But, there's only so much they can do

because at some point you have to make your own decisions with what you want to do with your life.

Magdalane Soufiant, 20, New York⁹

ANXIETY ABOUT THE FUTURE

I wish they knew of a place where I could find housing because it's expensive. I heard some people got vouchers, but now I am hearing that none of that is even available [because of the current economy]. From what I've been told, and I've been asking questions, nothing is available. I hear about the places I can live with other people . . . but after being in group homes and foster homes, I just want to be in my own space, my own room.

I'm about to age out, I hardly hear from my worker, and it's just like they are saying "bye". I have gotten a lot of help from Project Independence. When I know of people who signed out right after they turned eighteen, it's like they aged out because of nothing . . . they could have gotten some assistance and help.

Tamika Webb, 20, New York

I am close to aging out. My twentieth birthday is coming soon and I will have to leave the group home I am living in. I don't know where I am going next and I am scared. I can't get any definite answers from anyone. Everyone keeps telling me that time is running out and that overwhelms me even more. Once I am twenty-one, I have nowhere to go and that scares me.

I find it sad that once kids in care turn a certain age they are left to fend for themselves. In a family, even once you leave home, you still have a place to return to. You still have support. So why is it that kids like me will no longer have anyone in their life and nowhere to go? It's just wrong.

Anonymous, foster youth, 19

CONFIDENCE AND A SENSE OF SELF-SUFFICIENCY

I guess it's just a survival of the fittest when you turn twenty-one and just deal with it. Take whatever you learned from Independent Living and keep on stepping.

Tamika Webb, 20, Long Island, New York¹⁰

Being in the system really makes you self-sufficient and able to do things on your own. I've learned to take care of things on my own and formed my own path.

Magdalene Soufiant, 20, New York

I'm going to school right now, and have a job. I have housing figured out through an organization I found on my own. It's a program that matches up people who need companions to live with them and you share housing. After college I want to go to law school and be a corporate lawyer.

Magdalane Soufiant, 20, New York

FRUSTRATION WITH THE SYSTEM

I turned eighteen a month before I graduated from high school. The day after graduation, I was kicked out of my foster home, where I had been living for two years. I was eighteen, a high school graduate on my way to college in the fall, and I was homeless.

Nicole, former foster youth, Oregon¹¹

If you jump from foster home to foster home to foster home, if they just randomly move you, . . . like they did us, it's just like, it throws you completely off balance and then like if you were feeling secure then you are completely insecure because you don't know where you are at or who you are with.

Former foster youth, Colorado

I guess [for] everybody who is aging out now, it's a bad time. They are saying the government cut all of the programs that help us. But I also think that my social worker is not doing a good job. Supposedly they are supposed to help you, but I don't hear from her.

Tamika Webb, 20, New York

First, let me say that it was about eleven years ago [when] I aged out so I'm sure many of the services and options are different. For instance, where I was there weren't any programs that assisted with living, etc. Honestly, even if there had been these programs by the time I turned eighteen I was so excited to be able to make some decisions about my life that I'm not sure I would have taken the opportunity that was in front of me. A lot of which has to do with the lack of communication I had with my caseworker. It wasn't that she didn't care, but I was in the system off and on since I was four. I had been told that they were tired of "covering my case" which made me feel as if they were ready to push me out of the system regardless. I was not a bad kid, I did well in school, was respectful to my elders and other than being a little boy crazy was a very easy teenager to get along with.

About a week before my eighteenth birthday my caseworker called and asked if I wanted any "continued care" . . . she never elaborated on what was available to me, she just left it at that. Of course I was scared about how I was going to make it on my own, how would I pay bills, get an apartment (with no rental history at 18 that can be difficult in itself). I said no because I felt I was ready for everything.

Looking back now and seeing the programs available to today's youth aging out I would highly recommend taking advantage of these programs. Take some time, finish school, and then move on with a college degree under your belt.

Former Foster Youth, 28

When you're in foster care, they boot you out at eighteen and you are on your own. It's called emancipating. They have housing, but with 20,000 foster youth emancipating this year and so many trying to get into housing, it's like trying to win the lottery.

I've seen a lot of foster kids end up on the streets. They have no family to go to; they have nowhere to turn. They don't know anything about being on their own.

Foster youth have to do so many things for themselves that other teens don't have to worry about, like calling your social worker for permission to get a job, or meeting with your siblings, and speaking up for yourself in court. You have to work really, really hard to get support and what you need from the system.

When five other foster youth and I got together to talk about emancipating, we felt frustrated and empowered. I heard similar complaints that I'd heard other youth talking about, how they didn't know about a lot of things they were eligible for, like transitional housing and college financial aid. It was so irritating; it made me mad at the system. The system keeps you safe and makes sure you get all the things that parents would provide. But when you leave, they don't make sure you are prepared. I think they should make sure everyone who is emancipating knows about the services they are eligible for. They shouldn't put you out unless they know you are ready.

After I emancipate, I plan on going to college while living in transitional housing, which will be an apartment that the system will pay for a few years. I am excited because I can do what I want, but I'm worried it's going to be too much freedom. I don't want to do something that will get me in trouble and get me kicked out. I wouldn't have family to go to. I'd have to go to a friend's house and life would be a lot harder.

Trayvione Travis,¹² California

MY VOICE, MY LIFE, MY FUTURE

Nothing worth knowing, nowhere worth going
 Solutions to problems coming, but coming too slow
 Told that failure is who I am
 and all I could be
 Decisions made for me, not respecting who I am
 or want to be
 Voicing words not just to be said,
 but to be heard
 Words not just of sound but of thoughts
 Speaking knowledge, spirit, and fact
 Keeping faith, heart, and soul intact
 Thinking of my future, who and where will I be
 Rage hidden inside unable to see
 I faced my fears and drove them out
 That's what this poem and I are really about
 Also about something called courage,
 don't you know
 I have it, and I take it with me wherever I go
 Whether things go my way or things
 move real slow
 I have no plans on ever letting go
 Day after day, going through pain
 Always asking, who's fault, who's really
 to blame
 Looking for help, but who is the one
 Glancing left and right, I stand alone,
 there is no one
 Endless possibilities in an endless sea
 I needed help, and hoped I had it in me
 Facing ruin but now I rejoice,
 To trust in "My Life, Future and Voice."
Paul, age 16¹³

UNDERSTAND ME

What's beneath the clothes, the hair, the smile?
 Look deep inside to find me.
 The lost and lonely girl inside,
 That hides deep inside me.
 Please don't judge me for what you see.
 'Cause I don't look and act like you remember,
 I can only be me.
 Look closer, pay attention.
 Forget about the fake smile you see.
 Can you see what lies inside of me?
 The girl with a big heart,
 The loving one that constantly gets hurt
 So please don't judge me by my looks.
 Take a step closer.
 Can you understand my twisted mind?
 Can you find the real me?
 I hide so quickly.
*Adreana, age 18*¹⁴

NOTES

1. For a list of the impressive accomplishments of the California Youth Connection, see their most recent annual report at http://www.calyouthconn.org/files/cyc/PDF/cyc_ar_2008_letter.pdf (last visited Nov. 30, 2009).

2. Youth Communication, Who We Are, <http://www.youthcomm.org/Programs/Voices-of-Youth.html> (last visited Nov. 30, 2009).

3. *Recommendations from the ABA Youth at Risk Initiative Planning Conference*, 45 FAM. CT. REV. 366, 374 (2007); The American Bar Association, *American Bar Association Standards of Practice For Lawyers Representing a Child in Abuse and Neglect Cases* 11 (1996), available at <http://www.abanet.org/child/repstandwhole.pdf>.

4. See generally JUV. & FAM. JUSTICE TODAY (Fall 2006) (issue of newsletter of National Council on Juvenile and Family Judges which focuses on the importance of foster youth participation in court).

5. GLORIA HOCHMAN ET AL., THE PEW COMMISSION ON CHILDREN IN FOSTER CARE, VOICES FROM THE INSIDE 4, 9–11 (2004).

6. Howard A. Davidson, *The Child's Right to be Heard in Judicial Proceedings*, 18 PEPP. L. REV. 255 (1991).

7. See, e.g., Leonard P. Edwards & Inger J. Sagatun, *Domestic Violence, Child Abuse, and the Law: Who Speaks for the Child?* 2 U. CHI. L. SCH. ROUNDTABLE 67 (1995); Doris Jonas Freed & Timothy B. Walker, *Family Law in the Fifty States: an Overview*, 19 FAM. L.Q. 331 (1986); Bruce A. Green & Bernadine Dohrn, *Foreword: Children and the Ethical Practice of Law*, 64 FORDHAM L. REV. 1281 (1996); Jill Chaifetz, *Listening to Foster Children in Accordance With the Law: The Failure to Serve Children in State Care*, 25 N.Y.U. REV. L. & SOC. CHANGE 1 (1999); Miriam A. Krinsky & Jennifer Rodriguez, *Giving a Voice to the Voiceless: Enhancing Youth Participation in Court Proceedings*, 6 NEV. L.J. 1302 (2006).

8. The comments and poems from foster youth came from a wide variety of sources, including interviews, email exchanges, letters, and newsletters. We are grateful for the willingness of these current and former foster youth to contribute so deeply to the dialogue about foster care reform.

9. Interview with Magdalane Soufiant, Elmont, NY (Mar. 31, 2009).

10. Interview with Tameka Webb, Elmont, NY (Mar. 31, 2009).

11. AGING OUT, *supra* note 1, at 1.

12. *Am I Ready to Be On My Own?* L.A. YOUTH (Nov. 2006), available at <http://www.layouth.com/modules.php?op=modload&name=Issue&action=IssueArticle&aid=1902&nid=67>.

13. PEW COMMISSION ON CHILDREN IN FOSTER CARE, MY VOICE, MY LIFE, MY FUTURE (2006).

14. *Id.*

Theo Liebmann has directed the interdisciplinary Hofstra Child Advocacy Clinic since its inception. In his capacity as attorney-in-charge, he supervises law students and mental health trainees working together to advocate on behalf of youth involved in the immigration and child welfare legal systems. He and his students have represented hundreds of youth in cases involving physical abuse, sexual abuse, and neglect, as well as related delinquency, custody and guardianship matters. Prior to his current position at Hofstra, he was a lawyer for children in maltreatment and juvenile delinquency cases at the Manhattan office of the Legal Aid Society's Juvenile Rights Division. He serves as director of the National Institute for Trial Advocacy's Training the Lawyer to Represent the Whole Child program, frequently leads workshops on topics such as the role of the law guardian and immigrant youth issues, and coauthors regular columns in the New York Law Journal on children and the law. He recently developed a NITA case file and program providing training in collaborative skills for lawyers and social workers who work in the child dependency field. He has written in the areas of the overlap between child welfare and immigration law, the impact of family law legal standards on the physical and emotional well-being of youth and children, and ethical problems in the representation of children.

Emily Madden is a former Child and Family Advocacy Fellow at Hofstra Law School. She graduated in May 2009 and received the Stephanie E. Kupferman Award for her commitment to protecting the rights of children and to the pursuit of juvenile justice.

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