

Children's Advocacy Institute



Program Overview



Based at the nonprofit University of San Diego (USD) School of Law since 1989, the Children's Advocacy Institute (CAI) is one of the nation's premiere academic, research, and advocacy organization working to improve the lives of children and youth, with special emphasis on improving the child protection, dependency court, and foster care systems, and improving outcomes for youth aging out of foster care and other transition age youth populations. CAI's academic program trains law students to be effective child advocates through substantive courses and clinical opportunities that allow them to represent the interests of children and youth before all branches of government, and to help CAI put important issues on the public agenda. Through its offices in San Diego, Sacramento, and Washington, D.C., CAI's research and advocacy component seeks to leverage change for children and youth through impact litigation, regulatory and legislative advocacy, and public education. Active primarily at the state and federal levels, CAI's efforts are multi-faceted — comprehensively and successfully embracing all tools of public interest advocacy to improve the lives of children and youth.



IMPACT LITIGATION AND AMICUS ACTIVITY

On its own or with the assistance of pro bono partners, CAI identifies and takes a lead role in nationally trend-setting impact litigation. Examples of CAI's impact litigation include the following:

- ★ In ***Nicole K. et al. v. Marion County, et al.***, CAI claimed that Indiana is violating the constitutional rights of abused and neglected children by not giving them legal representation in dependency cases. Although not victorious, CAI continues to advocate for the right to counsel.
- ★ In ***California State Foster Parent Association, et al. v. Wagner, et al.***, CAI proved that California was in violation of federal law by failing to pay foster family homes rates that consider and cover the actual costs of raising foster children.
- ★ In ***Butterfield v. Lightbourne***, CAI successfully challenged Department of Social Services regulations implementing SB 39 (Migden) (Chapter 468, Statutes of 2007), CAI-sponsored legislation aimed at improving the state's disclosure of child abuse or neglect fatality information.
- ★ In ***K.D. v. Facebook***, CAI represented objectors to a proposed class action settlement arising from Facebook's use of subscribers' images, names and preferences for its own commercial use and, in the case of minor subscribers, without obtaining affirmative parental consent.

CAI's participation as ***amicus curiae*** (friend of the court) in state and federal proceedings includes the following:

- ★ In ***C.F. v. Alternative Family Services***, CAI argued that the court should not adopt a liability standard requiring proof of an agency's actual knowledge of a foster parent's propensity to commit abuse before the agency could be held accountable for negligent screening or supervision. The opinion engaged directly with CAI's child welfare policy arguments, including the heightened risks faced by foster youth and the state's paramount interest in protecting children from abuse, citing CAI's brief twice on pivotal issues.
- ★ In ***Ms. L. v. U.S. Immigration and Customs Enforcement***, CAI joined forces with legal service providers and child welfare professionals to challenge the separation of children from their families during immigration and asylum proceedings.
- ★ In ***Troxel v. Granville***, on behalf of the National Association of Counsel for Children, CAI helped draft an *amicus* brief to the U.S. Supreme Court, advocating the Court's recognition of a child's constitutional right to a parent, paralleling the oft-recognized adult right to parent.
- ★ In ***Camreta v. Greene / Alford v. Greene***, CAI's *amicus curiae* brief to the U.S. Supreme Court was selected by the National Law Journal as the "Brief of the Week." This proceeding involved a Ninth Circuit holding that required parental consent or a warrant (or similar court detention probable cause order), under Fourth Amendment standards, before Child Protective Services social workers can conduct an in-school interview of a suspected child abuse victim. CAI's brief, which was submitted in support of neither party, argued that the Ninth Circuit's ruling imposes a serious barrier that will impede and in some cases cut off child abuse investigations.

PRODUCING THE NEXT GENERATION OF CHILD ADVOCATES

CAI's academic component, part of the USD School of Law, trains law students and attorneys to be effective advocates for children throughout their legal careers. The centerpieces of CAI's academic program are **Child Rights and Remedies**, a survey course covering the wide range of issues relevant to child advocates, and **Youth Law**, which examines practice and procedure in the juvenile courts, specifically juvenile justice and juvenile dependency cases. And through its **Child Advocacy Clinic**, CAI provides second- and third-year law students with the unique opportunity to represent children in these distinct ways:

- ★ Through its **Dependency Practicum**, CAI interns assist attorneys in the representation of children and parents in the Dependency Court system. This Practicum also includes the LEGACY Project, which offers interns the opportunity to help homeless youth address legal issues.
- ★ Through its **Youth Justice Practicum**, CAI interns assist the San Diego County Public Defender's Juvenile Division in advocating on behalf of delinquent youth in order to ensure they receive appropriate services while they are under the jurisdiction of the Juvenile Court.
- ★ Through its **Policy Clinic**, CAI interns pursue research, writing, and/or policy advocacy projects at the state or federal level on a variety of issues, such as foster care, children's health coverage, juvenile justice, education, etc. Such projects might include petitioning an agency to adopt regulations, drafting model legislation, participating in impact litigation, or researching and drafting an in-depth report.

The USD School of Law offers a **Concentration in Child Rights**, and an increasing number of law students are graduating with this distinction, demonstrating their commitment to this educational focus. And the USD School of Law is home to the **Fellmeth-Peterson Faculty Chair in Child Rights**, which assures the continuation of CAI as an academic part of USD and as an effective advocate for children.

In addition to training law students to be effective child advocates, CAI has provided hundreds of practicing attorneys with comprehensive continuing legal education focused on Juvenile Court practice and other topics.



"Working with youth has always been my passion. By joining the Children's Advocacy Institute, I learned how this passion can intersect with my pursuit of a legal career. CAI's courses introduced me to the several career options a child advocate can take. Participating in the Juvenile Delinquency Clinic, I also gained practical experience from directly representing teenagers in court. I am so grateful for the doors CAI has opened for me." —Adrielli Ferrer, 2022 Recipient of the James A. D'Angelo Outstanding Child Advocate Award

"My involvement with CAI was the highlight of my law school career. I highly recommend CAI's Dependency Clinic to anyone interested in getting practical experience in a courtroom setting." —Matthew Felder, 2013 Co-Recipient of the James A. D'Angelo Outstanding Child Advocate Award



"Starting law school at USD, I was most excited about the Child Advocacy Institute at USD. Professor Fellmeth encouraged my interest in juvenile law through his course and by graciously allowing me to pick his brain on international issues relating to juvenile dependency. My participation in the Dependency, Delinquency, and Policy Clinics reinforced my desire to pursue a career in Juvenile Dependency and gave me the perfect platform to apply for jobs and interview in the field. I am glad to say I now represent children in Juvenile Dependency full time, and I owe a big thanks to CAI for getting me here!" —Sarah Shelvey Vaona, 2012 Recipient of the James A. D'Angelo Outstanding Child Advocate Award

"Participating in the [CAI] clinics taught me a great deal about child advocacy, and has put me in a position to continue advocating for foster youth in the future. I believe directly representing foster youth has given me a foundation in child advocacy law that will allow me to advocate for children at the policy level....through statutory reform, many issues that foster youth face can be addressed before they ever manifest in the life of a child." —Brenden Shaw, 2011 Recipient of the James A. D'Angelo Outstanding Child Advocate Award



"I deeply value the mentorship of Bob Fellmeth and the entire staff of the Children's Advocacy Institute. My experience taking Child Rights and Remedies and three semesters of Child Advocacy Clinic has become the important foundation for what I hope to accomplish in the field of child welfare." —Becky Wu, 2009 Co-Recipient of the James A. D'Angelo Outstanding Child Advocate Award

RESEARCH AND PUBLIC EDUCATION

CAI's research and authorship on the plight of children and youth have put important child-related issues on the public agenda, and have resulted in policy changes not only in California but nationally. In addition to its release of the **Children's Legislative Report Card** and other regular publications, CAI's research projects have resulted in the following special reports:

- ★ **Child Cruelty by Design: Big Tech's Defiance of California's Child Online Safety Mandates** (Aug. 2025) documents big tech's defiance of California's child online safety mandates.
- ★ **Amazon: Breaking the Law and Placing Children at Risk** (Apr. 2025) reveals how Amazon is failing to comply with the Parent's Accountability and Child Protection Act of 2018.
- ★ **Pathways to Prevention** (Aug. 2024) summarizes the intersection of child maltreatment, child welfare, and gun violence.
- ★ **Foster Care or Foster Con** (Apr. 2024) analyzes to what extent states preserve federal benefits belonging to eligible foster youth.
- ★ **No Family for the Holidays in Sacramento** (Dec. 2023) documents how Sacramento county lags far behind most major counties in placing foster children with family members.
- ★ **A Child's Right to Counsel—A National Report Card on Legal Representation for Abused & Neglected Children, 4th Ed.** (June 2019) grades states on the extent to which they provide independent, client-directed counsel to represent abused or neglected children in dependency proceedings.
- ★ **A White Paper on America's Family Values: The Facts About Child Maltreatment and the Child Welfare Financing System** (Sept. 2018) highlights how Congress is failing to adequately fund programs designed to protect the nation's most vulnerable children.
- ★ **Steps Forward** (Jan. 2018) summarizes progress on state and federal implementation of recommendations made by the federal Commission to Eliminate Child Abuse and Neglect Fatalities.
- ★ **Failing U** (Jan. 2018) analyzes whether states are protecting our veterans and other students from for-profit postsecondary predators.
- ★ **Shame on U.S.** (Jan. 2015) reveals how all three branches of the federal government leave abused and neglected children vulnerable to harm.
- ★ **California's Fostering Connections: Ensuring that the AB 12 Bridge Leads to Success for Transition Age Foster Youth** (Dec. 2013) reviews the first 18 months of extended foster care in California and recommends actions to improve outcomes.
- ★ **State Secrecy and Child Deaths in the U.S., 2nd Ed.** (Apr. 2012) grades states' public disclosure policies regarding information on child deaths and near deaths arising from abuse or neglect.
- ★ **The Fleecing of Foster Children: How We Confiscate Their Assets and Undermine Their Financial Security** (Apr. 2011) examines various state and federal laws and practices that inhibit foster youth from attaining financial stability and self-sufficiency.
- ★ **They Deserve a Family** (May 2007) details how providing appropriate rates to foster family homes leads to better outcomes for foster youth.
- ★ **Expanding Transitional Services for Emancipated Foster Youth: An Investment in California's Tomorrow** (Jan. 2007) discusses how increased investment in youth aging out of foster care would result in significant cost savings for the state.

LEGISLATIVE, REGULATORY, AND POLICY ADVOCACY

CAI maintains full-time legislative and regulatory advocacy offices in Sacramento and Washington, D.C., and has long been a leader in achieving significant policy changes for children:

- ★ CAI has drafted and secured the enactment of more first-in-the-nation laws addressing online risks to children than any other organization.
- ★ CAI spearheaded a successful national campaign to stop states from taking federal benefits away from children in foster care and using them to offset their own obligation to pay for foster care. To date, 12 states and jurisdictions have enacted comprehensive or near comprehensive reform, and 23 states and jurisdictions have enacted partial reforms.
- ★ CAI successfully sponsored legislation to promote the interests of foster youth in various ways, such as improving protections from identity theft, ensuring the efficacy of family services provided to parents, enhancing kinship placement efforts, and revising criteria for courts to consider when non-minor dependents seek to transfer their case to a new county.
- ★ CAI successfully sponsored legislation improving California's public disclosure policy governing the release of information regarding cases of child abuse or neglect that result in the death of a child.
- ★ CAI successfully sponsored legislation declaring that each child who is the subject of a dependency proceeding is a party to that proceeding, and as such is entitled to competent counsel, among other things.
- ★ CAI was instrumental in the implementation of the **Kids' Plates** personalized license plate program (license plates featuring a heart, star, plus sign, or child's handprint), which raises millions of dollars for child health and safety programs.
- ★ CAI helped win enactment of several health and safety measures, including the **Swimming Pool Safety Act**, the **Bicycle Helmet Law**, the **Children's Firearm Accident Prevention Act**, and the **Unattended Child in Motor Vehicle Safety Act**.
- ★ CAI successfully sponsored legislation to impose civil penalties for unlawful commercial acts involving child sex trafficking — at 20 times the level otherwise applicable, as well as complete disgorgement of all monies obtained and the application of pre-filing discovery that can accomplish the effective closure of any organized sex trafficking.
- ★ CAI advocacy led to the establishment of a process for the appointment of appellate counsel for children in dependency proceedings.

LEADERSHIP, COORDINATION AND PUBLIC AWARENESS

For over three decades, CAI has convened and chaired regular meetings of the **Children's Advocates' Roundtable**, an affiliation of over 200 of California's children's policy organizations, to provide a setting for advocates to share resources and information, as well as collaborate and strategize on projects that promote the interests of children and youth.

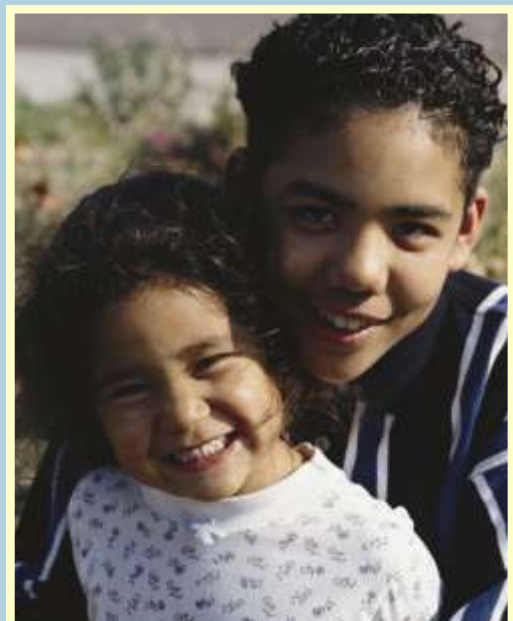
CAI is also a **leader at the federal level**. Current and former CAI senior staff members have served on the boards of the National Association of Counsel for Children (NACC), the Partnership for America's Children, First Star, and Public Citizen, and actively participate in several national coalitions such as the National Foster Care Coalition, the Child Welfare and Mental Health Coalition, and the Children's Rights Committee of the ABA's Section of Litigation.



CAI administers the **Price Child Health and Welfare Journalism Awards**, which have been presented annually since 1992 for excellence in journalism. The Awards recognize in-depth works that bring to light a significant issue impacting the health, welfare and well-being of children and advance the understanding of child health and well-being issues, such as child 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.

CAI has authored dozens of opeds that have appeared in publications such as the *Los Angeles Times*, *Sacramento Bee*, *San Francisco Chronicle*, *Los Angeles Daily Journal*, *Huffington Post*, *The Hill*, and *San Diego Union-Tribune*, among others.





BACKGROUND, LEADERSHIP, STAFF, AND FUNDING

CAI was founded in 1989 by **Robert C. Fellmeth**, tenured law professor at the USD School of Law, founder of USD's Centers for Public Interest Law, and original holder of the Price Chair in Public Interest Law at the School of Law. One of the original Nader's Raiders, Prof. Fellmeth devoted his legal career to championing the causes of diffuse, unorganized, and under-represented interests — primarily consumers and children.

In 2014, Prof. Fellmeth and longtime CAI supporter Paul A. Peterson spearheaded the endowment of the Fellmeth-Peterson Associate Professor in Child Rights, to assure the continuation of CAI as an educational part of the USD School of Law and as a state and national advocate for children. CAI alumna Jessica Heldman was selected to hold that chair, and following Prof. Fellmeth's 2025 retirement, Prof. Heldman took over as CAI Executive Director.

In addition to operating under the aegis of USD's leadership, CAI is advised by the **Council for Children**, a panel of distinguished professionals and community leaders who share a vision to improve the quality of life for children and youth. Current Council members include

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| ★ Bill Bentley | ★ Thomas Papageorge |
| ★ Anne E. Fragasso, Esq. | ★ Sarah Pauter |
| ★ John Goldenring, MD, MPH, JD | ★ Gary Redenbacher, JD (Chair) |
| ★ Carolyn Griesemer | ★ Gary Richwald, MD, MPH (Vice-Chair) |
| ★ Hon. Leon Kaplan | ★ Tracy L. Simmons |
| ★ David M. Meyers | ★ John Thelan |

Emeritus members include Robert Black, MD[†]; Denise Moreno Ducheny; Birt Harvey, MD[†]; Louise Horvitz, MSW, PsyD; James McKenna[†]; Paul A. Peterson, JD[†]; Blair Sadler, JD; Gloria Samson; Ann Segal; Alan Shumacher; and Owen Smith.

[†]Deceased

In addition to Prof. Heldman, the CAI staff includes:

- ★ Melanie Delgado, Senior Staff Attorney / Director of TAY Projects
- ★ Katie Gonzalez, Associate Director, Centers for Public Interest Law
- ★ Amy Harfeld, National Law and Policy Director / Senior Staff Attorney
- ★ Ed Howard, Senior Policy Advocate / Senior Counsel
- ★ Ben Sims, Executive Assistant
- ★ Elisa Weichel, Administrative Director/Senior Staff Attorney

CAI is also assisted each year by several law student interns participating in CAI's academic program or working as research assistants, private consultants, pre-law interns, and volunteers.

CAI's entire advocacy budget must be raised each year in the form of grants, donations, cy pres awards, attorney fees, and other funds which CAI must obtain from external sources in order to maintain its current level of operations. As part of the nonprofit University of San Diego, donations to CAI are tax-deductible to the extent the law allows.

To donate to CAI, please visit <http://sandiego.edu/law/caigift>

HELP CAI HELP KIDS

We need your support in order to continue our work — and here are a few ideas for how you can help us help kids:

- ★ Make a **tax-deductible donation** to CAI at <http://sandiego.edu/law/caigift>.
- ★ Subscribe to the CAI newsletter at <https://usd.tfaforms.net/219290>.
- ★ Support CAI's legislative priorities available at sandiego.edu/cai/advocacy/legislation/
- ★ For attorneys involved in class actions resulting in a [cy pres distribution fund](#), recommend CAI as a potential recipient of those funds (Code of Civil Procedure section 384 lists "child advocacy programs" as eligible recipients of cy pres distributions).
- ★ Join the [Children's Advocates' Roundtable](#) and participate in its monthly meetings and/or follow the Roundtable activities on Facebook.
- ★ Join [Lawyers for Kids](#), which gives attorneys, law students, and others in the legal community the opportunity to use their talents and resources as advocates to promote the health, safety, and well-being of children; assist CAI's policy advocacy program; and work with CAI staff on impact litigation or by offering expertise in drafting amicus curiae briefs.
- ★ Purchase a [Kids' Plate](#), a special license plate featuring one of four special symbols: a star, a hand, a plus sign, or a heart. Proceeds support local and statewide programs to prevent child injury and abuse, as well as childcare health and safety programs.
- ★ Volunteer to serve as an **Educational Representative** for a child or youth in the Dependency and/or Delinquency Court systems of San Diego County, or ask CAI how to start a similar program in your community.



For information on all of these opportunities, please visit CAI's website at www.sandiego.edu/cai, call us at (619) 260-4806, or email us at info@caichildlaw.org.





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