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FACT SHEET December 2019

Resources for High-Quality Legal Representation for Children and Parents in Child Welfare Proceedings

This document summarizes a small sample of the key resources available to ensure high-quality legal representation for children and parents in child welfare proceedings.

Family Justice Initiative (FJI)

Led by the American Bar Association Center on Children and the Law, the Children's Law Center of California, the Center for Family Representation, and Casey Family Programs the FJI brings together a national collaborative of parents' attorneys, children's attorneys, researchers, educators, and advocates working together to meet the initiative's goals. The mission of FJI is to strengthen families through the provision of high-quality legal representation for children and parents involved in the child welfare system.

Key Resources:

- Main website: https://familyjusticeinitiative.org/
- Attributes of High-Quality Legal Representation for Children and Parents in Child Welfare Proceedings, https://15ucklg5c821brpl4dycpk15-wpengine.netdna-ssl.com/wp-content/uploads/sites/48/2019/05/fji-atttibutes-MAY2019.pdf

Cornerstone Advocacy Model

"Cornerstone Advocacy" is a promising approach to supporting family reunification that focuses on intensive advocacy during the first 60 days of a child welfare case to focus on placement, services, family conferences, and visitation. The model was developed by the New York City Center for Family Representation and resulted in shorter lengths of stay in foster care compared to the outcomes for cases that were not served by the program.

- Best Practices Bulletin: Cornerstone Advocacy in the First 60 Days: Achieving Safe and Lasting Reunification for Families,

http://ww2.nycourts.gov/sites/default/files/document/files/2018-10/CIPBBulletin6_11.pdf

- Cornerstone Institute, https://www.cfrny.org/our-training/cornerstone-institute/

ABA Center on Children and the Law

The ABA Center on Children and the Law has a mission of promoting access to justice for children and families. Their legal representation projects (including FJI) focus on elevating the quality of representation for children, parents, and child welfare agencies in child welfare cases.

Key resources:

- Main website: https://www.americanbar.org/groups/public_interest/child_law/project-areas/legal-representation/
- ABA Standards for Lawyers Who Represent Children in Abuse and Neglect Cases, https://www.americanbar.org/content/dam/aba/administrative/child_law/repstandwhole.pdf
- Standards of Practice for Attorneys Representing Parents in Abuse and Neglect Cases, https://www.americanbar.org/content/dam/aba/administrative/child_law/aba-parent-rep-stds.pdf
- Summary of Parent Representation Models, https://www.ils.ny.gov/files/ABA%20Summary%20Of%20Parent%20Representation%20Models.pdf [This is a little old]

Casey Family Programs

As a key partner in FJI, Casey has produced a strategy brief and is collecting key resources to support high-quality representation in child welfare cases in service of their primary goal of ensuring safe, supportive and permanent homes for all children.

Key Resources:

- Question from the Field: How does quality representation for parents support better outcomes?, https://www.casey.org/quality-parent-representation/

- Strong Families Strategy Brief: How Does Quality Representation for Parents Support Better Outcomes, https://caseyfamilypro-wpengine.netdna-ssl.com/media/SF_Quality-parent-representation_fnl.pdf

National Association of Counsel for Children

The National Association of Counsel for Children (NACC) is a non-profit professional membership and advocacy organization dedicated to advancing justice for children, youth, and families. NACC advances the rights and opportunities of children in the child welfare system by ensuring they have the right to effective assistance of counsel. They are the only national organization accredited by the American Bar Association to certify attorneys as Child Welfare Law Specialists. While they offer many resources to members they also have a number of other resources available to the public.

Key Resources:

- Main website: https://www.naccchildlaw.org/
- Child Law Standards of Practice Resources, https://www.naccchildlaw.org/page/StandardsOfPractice
- Leveraging IV-E to Leverage High-Quality Legal Representation and Training, https://cdn.ymaws.com/www.naccchildlaw.org/resource/resmgr/policy/2019/nacc_title_iv-e_flyer_-_2019.pdf

Research on the impact of representation of parents in child welfare cases

Two major reviews of quality parental representation programs in Washington State and New York City have shown improved reunification and permanency outcomes for the children and families in which the parents were served.

Key resources:

Effects of an interdisciplinary approach to parental representation in child welfare [New York City], https://www.sciencedirect.com/science/article/pii/S019074091930088X

Evaluation of the Impact of Enhanced Parental Legal Representation on the Timing of Permanency [Washington State], http://partnersforourchildren.org/resources/publications/evaluation-impact-enhanced-parental-legal-representation-timing-permanency

Dependency Court Performance Measures (Rule 5.505)

The legislation that created the California Child Welfare Council also directed the Judicial Council to adopt performance measures by rule of court to complement the federal Child and Family Services Review measures required for child welfare agencies. Those court performance measures are found in California Rule of Court 5.505 and can serve as a model for the outcomes that high-quality legal representation should seek to accomplish.

- California Rule of Court 5.505, Juvenile dependency court performance measures, https://www.courts.ca.gov/cms/rules/index.cfm?title=five&linkid=rule5_505

Audiovisual resources

In addition to the numerous text resources available online, there are video and podcast resources with useful information.

Key resources:

Giving Parents a Voice: The Legal Representation of Indigent Parents in Child Welfare Cases, https://www.youtube.com/watch?v=4bnHYA2xajY

Legal Services of New Jersey Videos on Child Welfare Policy topics (under the tap "Policy Videos"), https://www.lsnj.org/VideoLibrary.aspx

Podcast: Family Voices on Legal Representation for Families, https://www.familyvoicesunited.org/voices/podcast-family-voices-legal-representation-families

True North Child Advocates Children's Law Podcast, (series of podcasts from long term children's attorneys on a range of topics), https://www.childrenslaw.org/podcast-1

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