

Program Design and Outcomes of Selected Pre-Petition Legal Representation Programs
 Commission To Develop a Pilot Program To Provide Legal Representation to Families in the Child Protection System

Final for
Oct. 17, 2022 meeting

State	Program (cite to sources of info.)	Eligibility Requirements	Referral Sources	Types of services	Service Providers	Funding Sources	Data Collection Protocols	Available Outcome Data
CA	Children’s Law Center of California: <i>Pritzker Pre-Filing Project</i> (Los Angeles) ^A	Pregnant or parenting youth in foster care	Primarily from other Children’s Law center attorneys or case managers.	Advocate for the parenting youth re: child welfare involvement with their children; Protection orders, child custody, landlord-tenant and other ancillary legal issues; Connect client to needed services; Connect clients to MH, immigration and other experts. ^B	Attorney; and Parent-support case manager (social worker with lived experience).	Philanthropic funding sources. <i>* Note: may be pursuing Title IV-E funding.</i>	Outcomes tracked: Whether petition for removal is filed; Family reunification status; and Relative placement.	As of 7/2/12: Only 3 of 168 (1.8 %) of clients had their children removed (one was later successfully reunified). ^C
CA	Dependency Advocacy Center: 2 pre-petition programs <u>First program:</u> <i>Santa Clara County Corridor</i> ^D	Santa Clara county resident; Who is an adult on probation and a parent at risk of involvement with Dept. of Family and Children’s Services (DFCS)	Primarily adult probation officers; and Sometimes community partners.	Referrals to community services; Peer and social work support regarding DCFS; Legal advice, help filing court forms, representation or referrals for: guardianships, restraining orders, custody, housing, and caregiver affidavits (custody plan if parent is re-incarcerated)	Attorney; Social worker; Mentor parents.	Operates under contract with county adult probation using county funds	Client satisfaction survey; If individualized support provided, assess client self-sufficiency across 10 domains at program entry, exit, & every 6 months while in program. Criminal justice and child welfare outcomes (<i>i.e.</i> recidivism, new referral of abuse or neglect, removal) tracked via self-	Over the past 5 years: Individualized support services were provided to 111 families; DFCS obtained a protective custody warrant to remove a child from a parent receiving individualized support in only

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							report only during program participation.	5 of those cases.
CA	<p>Dependency Advocacy Center: 2 pre-petition programs</p> <p><u>Second program:</u> <i>First Call for Families</i>^E</p>	<p>Santa Clara county resident;</p> <p>Has interacted with Dept. of Family & Children’s Services (DFCS) within past year (ex: unfounded past report of abuse or neglect or who currently have a voluntary services plan) who seek pre-petition advocacy and support</p>	<p>Primarily DFCS caseworkers; also</p> <p>Community partners; and</p> <p>Self-referrals.</p> <p><i>* Note: soon opening office co-located in a hospital’s high-risk pregnancy clinic to obtain referrals</i></p>	<p>(1) <i>Warm line:</i> support, legal advice and community referrals; and</p> <p>(2) <i>Individualized support</i> (if needed & staff available):</p> <p>Peer and social work support regarding DFCS;</p> <p>Legal advice, help filing court forms, representation or referrals for: guardianships, restraining orders, custody, housing and related issues</p>	<p>Attorney;</p> <p>Social worker; and</p> <p>Mentor parent.</p>	<p>1st year: short-term county funds;</p> <p>On Sept. 1, 2022, expanding staff and will operate under a contract with DFCS using other county funds</p> <p><i>* May pursue Title IV-E reimbursement in the future;</i></p> <p><i>* Note: DAC and other California parents’ attorney providers currently receive Title IV-E funding through DFCS when appointed to represent parents in court proceedings post-petition</i></p>	<p>(1) <i>Warm line:</i> collect data on type of warm line service provided and whether client referred to other services.</p> <p>(2) <i>Individualized support:</i></p> <p>Client satisfaction survey;</p> <p>Was petition filed?</p> <p>If client > 45 days, assess client self-sufficiency across 10 domains;</p> <p>If client > 60 days, obtain data from DCFS whether any reports have been substantiated at 6-months and 12-months after services complete.</p>	<p>Not yet available (program began in 2021)</p> <p><i>* Anecdotally, only one client who received individualized support had a court petition filed and the child was returned after only a brief time.</i></p>
CO	Office of Respondent Parents’ Counsel	Indigent parents in Jefferson County with unmet legal	Caseworkers (including from county Dept. of	Pre-filing child welfare advocacy; Housing;	Attorney (contracts with Colorado	Uses Title IV-E reimbursement dollars:	Conduct short interview with	Not yet available

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	(ORPC): <i>Preventative Legal Services</i> (Jefferson County) ^F	needs that may be affecting the safety of their child	Human Services and TANF programs); Community-based organizations; Self-referrals; Other.	Custody and visitation; Guardianship; Parentage/ paternity; Protection orders; Advice on some criminal matters (outstanding warrants, sealing records and expungement, de-registration); and Immigration (VAWA and U-Visa petitions). <i>* Note: will not assist with the following: divorce (but may have Colorado Legal Services assist in certain DV cases); criminal defense (but will help connect client to a public defender); employment; civil rights; small claims and private lawsuits.</i>	Legal Services to help with specific issues— <i>e.g.</i> , housing and immigration); Social worker; and Parent advocate.	1 st : ORPC provides statewide indigent parent post-petition representation, which is funded by state funds. 2 nd : ORPC invoices these post-petition legal services through DHS, which receives Title IV-E reimbursement. 3 rd : Title IV-E reimbursement funds finance several ORPC pilot projects, including the Preventative Legal Services project.	parent upon case closure; Follow-up parent interview 6-months after case closure. Outcomes measured include: Whether petition for removal is filed; and If petition is filed, whether children are removed.	(program began in 2022).
IA	Iowa Legal Aid: <i>Parent Representation Project (pre-filing cases)</i> ^G	Low-income families involved in child welfare system in four project counties	Majority of referrals from Iowa Dept. of Human Services; and	Legal advice and support with child welfare system;	Attorney; Case manager; and	Began in 1 county with a grant from the state's court	(Not known)	In 2018, Iowa Legal Aid: Closed 62 pre-filing cases, helping 118

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		(Blackhawk, Dubuque, Jackson and Linn)	Also receive referrals from contracted service providers.	Child custody and child support; Guardianships; Protection orders; Expungements; Housing issues; and Denials of public benefits. Also refer families to community resources (MH or substance abuse counseling, public benefits, affordable housing, etc.) ^H	Parent advocate.	improvement project (CIP); Then obtained private funding. <i>* Note: Iowa Legal Aid currently has the contract to provide legal services in 2 of the State Public Defender's 6 pilot project counties (discussed below)</i>		children avoid court involvement
IA	Office of the State Public Defender: <i>Project to Preserve Families</i> ¹	Families in any of the 6 pilot project counties with a civil legal issue that, in the opinion of the State Public Defender, if not addressed will result in removal of the child	Most referrals from Iowa Dept. of Human Services; Some referrals from probation officers. <i>* Hope to expand to receive school-based referrals</i> <i>* Note: by statute, the State Public Defender has sole discretion to</i>	Legal advice and support with child welfare system; Open to assisting with any civil legal issue affecting child safety, including: Child custody and child support; Guardianships; Protection orders; Housing issues, etc.	Attorney (state public defender in 1 county; Iowa Legal Aid in 2 counties; contracted attorneys in 3 counties); Social worker (state public defender office); Parent advocate.	100% funded with Title IV-E reimbursement dollars obtained based upon post-petition representation of parents by the State Public Defender <i>* similar to the process described for Colorado above</i>	Outcomes tracked: whether petition is filed; whether the child is removed; and, if so, the length of removal. 6- and 12-month client surveys; Attorneys questionnaires about success of the pilot project.	Not yet available (program began in Sept. 2021) ^J

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			<i>determine family eligibility for pilot project services</i>					
MA	Greater Boston Legal Services: Domestic Violence Family Preservation Project ^K	Low-income survivors of domestic violence involved with Department of Children and Families (DCF) whose children haven't been removed	Community partner organizations; Other GBLS attorneys; and Self-referral through GBLS intake	Advocate during DCF investigation (inform of rights, negotiate required services; appeal substantiations); DV protection orders; Custody, child support, divorce; guardianships; and Tax, housing, welfare, immigration and healthcare issues (via referral to other GBLS staff attorneys).	Attorney	Began with one attorney funded through an Equal Justice Works Fellowship; Second attorney funded (at least in part) with ARPA funds.	Collect client demographic data; Track following outcomes: Avoiding juvenile court involvement; Day DCF case closed and length DCF case open; Income of family at beginning and end of representation; Government benefits obtained; Outcome of Probate & Family case; and Whether safety/restraining order obtained.	Not yet available (program began in Sept. 2021)
MI	U. Mich. Law School, Child Advocacy Clinic: Detroit Center for Family Advocacy ^L Program closed; was in	Parents/custodians (grandparents or other relatives) of children from Wayne County for whom the child welfare agency has substantiated abuse or neglect but has	Michigan Department of Human Services (90% of referrals); Wayne County Juvenile Court;	Assist with child welfare system; Guardianships; Child support, custody, divorce and paternity; Protection orders;	Attorney; Social worker; and Parent advocate.	Private funds were used to leverage state matching funds from Michigan's Child Care Fund	Demographics; Monitor: whether petition filed and whether children removed; length of time served by program (hours by staff and months case open), type of	From 7/2009 to 6/2012: Served 110 children in 55 families: Prevented filing of petition in

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	effect from 2009 - 2016	not removed the children or filed a court petition	Private agencies; and Self-referrals	Public benefits; and Other ancillary issues. ^M			service received and whether goal was achieved; Stakeholder surveys (child welfare agencies, judges, AAGs, GALs, community organizations); Client satisfaction surveys.	92.7% of cases (petitions filed for 4 children, of those removed, none went to non-kin foster care and all were returned quickly); Achieved legal objective of ancillary services in 98.2% of cases
NJ	Legal Service of New Jersey: Family Stability and Preservation Project^N	Indigent parents (up to 300% of the federal poverty level) involved with child welfare agency <i>* Note: The project provides services both pre- and post-petition. The information in this chart focuses on the project's pre-petition work.</i>	N.J. Child Protection & Permanency caseworkers; Self-referrals (through LSNJ hotline); Interoffice referrals from other LSNJ attorneys; Community partners. <i>* Note: project staff conduct extensive outreach activities to</i>	Advice on how to navigate the child welfare system; Ancillary legal issues— <i>e.g.</i> : Appealing public benefit denials (including SSI); Housing issues (landlord tenant, securing housing, §8 vouchers, etc.); Divorce, custody, child support; Domestic violence issues;	Hotline attorneys (legal advice); Project attorneys (provide legal advice, direct representation and/or referrals to other LSNJ attorneys with expertise in a specific issue); Social workers; and Parent allies.	State funding-- both legislative appropriations and state grants are used to fund LSNJ's work; CIP funding was used for 1 project attorney in 2021; Parent allies are funded by a private foundation. ^O	Collect demographic information on referrals and clients (race, ethnicity, LGBTQ+, etc.); Track type of issues presented; <i>Originally (but see column to right):</i> Tracked and reported outcomes including: whether petitions were filed and whether children were removed.	From 2018 to 2020: Out of >200 referrals, none of the >300 children were removed. <i>*Recently, have not focused on reporting outcome data, in part to avoid creating an incentive to not serve the clients with the most challenging cases. Instead focus on collecting data on referrals, cases</i>

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			<i>increase awareness of the program.</i>	Special education and other school-related issues; Healthcare; and Immigration.				<i>and types of issues involved, to demonstrate need for the project, and on obtaining feedback from stakeholders.</i>
NY	The Bronx Defenders: <i>Early Defense Program</i> (NYC) ^P	Income-eligible parents and caregivers in the Bronx being investigated by Administration for Children’s Services; and Current clients who become pregnant and are at risk of losing the newborn.	Hospitals, schools, social services agencies and other community organizations (program does outreach and training at many such organizations); Self-referral (24-hour hotline, email intake and walk-in hours).	Legal and social work advocacy during the investigation; Connecting families to supportive services and material resources; Ancillary legal issues: housing and public benefits.	Attorney; Q Social worker; and Parent Advocate.	Discretionary funding from New York City Council for pre-petition advocacy; Private funding for work with pregnant clients to prevent removal of the to-be born child; <i>* Hope in future to incorporate pre-petition work into the Bronx Defenders’ contract to provide post-petition parent representation; the city may also pursue Title IV-E reimbursement.</i>	Collect data on: Number of parents served; Number of safety conferences attended; Outcomes: whether ACS filed a petition and/or removed the children.	In FY21: Represented 131 low-income parents in Bronx facing investigation; No case was filed in 72% of cases; Of remaining cases where court proceedings were initiated, children remained in the home or with family members in all except 2 cases.
NY	Center for Family Representation,	Parent subject to investigation by Administration for	Other legal services agencies and	Social work advocacy and explain parent’s	Social workers; and	Discretionary funding from New York City	Collect client demographic	Not yet available (program

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	Inc.: <i>Community Advocacy Project</i> (NYC) ^R	Children’s Services in Manhattan or Queens (will soon expand to the Bronx)	community organizations; NYC 311 call line; Self-referrals. <i>* Note: referrals from ACS are rare</i>	rights during the investigation <i>*Note: option to consult with an in-house attorney for housing, protection order, immigration and criminal legal advice and/ or direct assistance^S</i>	Parent advocates.	Council for pre-petition advocacy; Plan to pursue incorporating this work into the Center’s contract to provide post-petition parent representation in child protection proceedings.	information at intake and track: Time investigation remains open; Outcome of investigation (court petition? removal? if so, to whom - kinship?); Number of referrals made for other services.	began in 2019) ^T
OK	Legal Aid Services of Oklahoma (LSAO): <i>Family Representation Contract^U</i>	Actively involved with Child Welfare Services in some capacity; also subject to representation qualification requirements of LASO	Oklahoma Dept. of Human Services caseworkers as well as judicial referrals	Legal matters impacting stability of the home with the exception of criminal and appellate cases. Included but is not limited to divorce and custody; paternity; protection orders; guardianships; housing and utility issues, and benefit entitlement appeals.	Attorney	Contract between Dept. of Human Services and LASO	None at this time. Are working to establish a research study to determine efficacy of intervention under the contract.	None at this time (see column to left).

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VT	<p>Vermont Parent Representation Center, Inc.: had 2 pilot pre-petition programs</p> <p><u>First program:</u> <i>Family Intervention Team</i>^v</p> <p>2-year project; closed in 2012</p>	<p>Families* for whom Dept. of Children & Families (DCF) had completed an investigation or assessment and had opened a services case</p> <p><i>* Only represented 1 parent in each case</i></p>	<p>Referral sources:</p> <p>DCF (50%);</p> <p>Community providers (29%);</p> <p>Probate Courts (13%); and</p> <p>Other (8%: via web, 2-1-1 or other clients).</p>	<p>Advocacy with DCF (including also appeals of substantiations, and represent in CHINS case if later opened);</p> <p>Guardianships;</p> <p>Housing (ex: help with §8 vouchers, eviction defense);</p> <p>Protection orders;</p> <p>Public benefits (ex: TANF);</p> <p>Other ancillary issues advocacy.</p>	<p>Attorney;</p> <p>Social worker; and</p> <p>Peer Advocate.</p>	<p>State legislative funding for one year (until budget crisis due to Hurricane Irene); and</p> <p>Later private foundations and donors.</p> <p><i>* Note: some staff occasionally provided pro bono services.</i></p>	<p>Number referrals, how many became clients;</p> <p>Number of visits to parents in home/community;</p> <p>Parent satisfaction surveys;</p> <p>% children not removed (and if removed, % later reunited);</p> <p>% older children who were already removed who were reunited.</p> <p><i>* Note: a request to DCF for information on longer-term outcomes (at 6- and 12- month intervals) was denied</i></p>	<p>During 2-year pilot (2010-2012):</p> <p>78% of families whose children were not in custody of the State or a relative at outset also did not have a child removed while part of pilot project;</p> <p>50% of other children previously removed were reunified with the parent;</p> <p>100% of parents found project helpful to achieve desired outcomes</p>
VT	<p>Vermont Parent Representation Center, Inc.:</p> <p><u>Second program:</u> <i>Rapid Intervention Prenatal Program (RIPP)</i>^w</p>	<p>Mothers in medication assisted treatment who were pregnant or parenting infants (under 1 month) regardless of whether there was</p>	<p>Treatment providers;</p> <p>Community partners; and</p> <p>Self-referrals.</p>	<p>Same as above and also:</p> <p>Advocacy with hospital, medical providers, and service providers;</p>	<p>Attorney; and</p> <p>Family advocate (skilled but not licensed as MSW).</p>	<p>Private foundations and donors</p> <p><i>Note: some staff occasionally</i></p>	<p>Same as above</p> <p><i>* Note: did not again request long-term data given denial of data for</i></p>	<p>During 2-year pilot (2014-2016):</p> <p>63% of 27 women served were successful in maintaining</p>

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	2-year project; closed in 2016	yet DCF involvement <i>* Note: DCF policy prevented involvement until 30 days before the child's due date</i>		Providing transportation and other needed services/supports to facilitate visits if child was removed (to help facilitate reunification).		<i>provided pro bono services.</i>	<i>Family Intervention Team pilot project</i>	custody of children within 12 months of being served by RIPP
WA	Center for Children & Youth Justice: Family Advocacy Center (King County) ^x 3-year pilot project closed in 2019.	“But-for” test: families with a civil legal issue that, if resolved, would: Prevent removal; Close Child Protective Services (CPS) investigation; or Close a Family Assessment (FAR) Response case. Clients must be at or below the income self-sufficiency standards for King County.	CPS and FAR caseworkers from Dept. of Children, Youth and Families (FAC attorneys first trained DCYF staff on the program and eligibility criteria).	Legal advice and range of assistance on ancillary civil legal issues: Most frequent: guardianship, paternity, divorce, parenting plans (<i>i.e.</i> , parental rights orders); and protection orders. Less frequent: housing; public benefits; criminal records “cleanup.” Parent ally also provided advice regarding the child welfare process. ^y	Legal Aid Attorney (from the Northwest Justice Project); Social worker (from Center for Children & Youth Justice); and Parent ally (from Parents for Parents).	3-year pilot project funded via private philanthropic foundations and individual donors.	Demographic information; Referral source; Duration, type and scope of service provided; Relevant court rulings; and Internet & phone client satisfaction surveys. <i>* Utilized Northwest Justice Project's data-collection systems for all except client surveys and required release from client to provide information to FAC</i>	During the 3-year pilot project, the civil legal objectives were met in 95% of preventative cases.
WA	Family Intervention Response to Stop Trauma (F.I.R.S.T.) Clinic	Pregnant mothers and parents of substance-exposed infants (recently born, still in the hospital) in the	Medical providers and community partners (attorneys, hospital staff,	Legal advocacy regarding potential or actual DCYF investigation; Assist in obtaining community	Attorney; Social worker; and Parent Ally.	Began as pro bono services; In 2020, state appropriated \$500,000 over two years (led	Worked with Casey Family Programs to create Google Sheets data tool: Demographic data (race, ethnicity,	Between July 2019 and Nov. 2021: Petition filed for only 15% of 123 clients;

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	(Snohomish County) ^z	county who are subject to a child welfare investigation and who receive some sort of state assistance (TANF, WIC, food stamps, state medical insurance, etc.).	and a substance treatment provider); Dept. of Children, Youth & Families (DCYF) caseworkers (including referral of all “screened out” reports/intakes on pregnant mothers whose children are not yet born); and Some self-referrals.	services and supports (e.g., substance-use evaluations and treatment); Ancillary legal issues: protection orders and guardianships or connection to criminal attorney; Provide concrete goods for baby’s needs (diapers, clothing, etc.).		to large increase in caseload); Also received funding from Casey Family Programs, the Giddens Foundation (local non-profit), and via state contract (for clients without open DCYF cases). <i>Future: state Dept. of Health and Human Services has contacted F.I.R.S.T. Clinic to discuss potential expansion using opioid settlement funds</i>	refugee & disability status; marital status; any other children; public assistance); DCYF history of parent(s); Family service needs (housing, DV, drug & alcohol, etc.); Outcomes: whether client agreed to voluntary services or placement; whether petition filed; whether child removed; whether guardianship entered.	10% of clients agreed to voluntary safety plans and kept their children. Between 2018 and 2020, infant removals decreased by 37% in Snohomish County (not just for F.I.R.S.T. clients), compared to a 17% reduction statewide over the same time period.

^A Email correspondence with Kaveh Landsverk, pre-filing program attorney, Children’s Law Center of California. See Jody Leibman Green & Kaveh Landsverk, American Bar Association, *Breaking the Foster Care Cycle, One Young Family at a Time* (July 1, 2021) at <https://www.americanbar.org/groups/litigation/committees/childrens-rights/articles/2021/summer2021-breaking-the-foster-care-cycle-one-young-family-at-a-time/>; see also Am. Bar Ass’n & Nat’l Council of Juv. & Fam. Ct. Judges, Judge’s Action Alert, *Supporting Early Legal Advocacy before Court Involvement in Child Welfare Cases* (March 2021), at https://www.americanbar.org/content/dam/aba/administrative/child_law/early-legal-advocacy.pdf; Rob Wyman, *Testimony before the Maine Commission to Develop a Pilot Program to Provide Legal Representation to Families in the Child protection System* (Aug. 1, 2022) at <https://legislature.maine.gov/doc/8716> (hereinafter “Rob Wyman, *Testimony*”).

^B Rob Wyman, at Casey Family Programs, indicated via email correspondence that the Pritzker Pre-Filing Project will not directly represent clients on immigration issues.

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^C The data presented in the chart derives from Green & Landsverk, *Breaking the Foster Care Cycle, One Young Family at a Time*, *supra* note A. In email correspondence, Kaveh Landsverk indicated that, as of July 2022, of 73 child clients he had served, 61 were in the custody of a parent, 3 had been placed with relatives, and 9 were in foster care.

^D Zoom interview with Hilary Kushins, Chief Program Officer at the Dependency Advocacy Center and email correspondence regarding data-collection protocols and outcomes with Sarah Cook, Corridor Managing Attorney. *See also* Family Justice Initiative, *Guide to Implementing FJI System Attributes: Attribute 4: Timing of Appointment* (2020) at <https://15ucklg5c821brpl4dycpk15-wpengine.netdna-ssl.com/wp-content/uploads/sites/48/2020/03/fji-implementation-guide-attribute4-1.pdf>.

^E Zoom interview with Hilary Kushins, Chief Program Officer at the Dependency Advocacy Center. *See also* Dependency Advocacy Center: First Call for Families (website) at http://www.sccdac.org/?page_id=501 (last visited Aug. 10, 2022); Rob Wyman, *Testimony*, *supra* note A.

^F Zoom interview with Jill Cohen, Social Worker and Director of Programs, Office of Respondent Parents' Counsel. *See also* Lauren Gase, et al., *Office of Respondent Parents' Counsel: Preventive Legal Services Implementation Guide* (May 11, 2022), at <https://coloradolab.org/wp-content/uploads/2022/05/ORPC-Preventive-Legal-Services-Implementation-Guide-May-2022.pdf>; Executive Director Melissa Michaelis Thompson, *Office of Respondent Parents' Counsel: Fiscal Year 2022-23 Budget Request* at 28-30 (Nov. 2, 2020), at <https://coloradoorpc.org/wp-content/uploads/2021/11/Final-ORPC-FY-2022-23-Budget-Request.pdf> (explaining that the ORPC obtains, based on its post-petition legal representation of parents, Title IV-E reimbursement funds and uses those funds for several initiatives, including "Increasing RPC access to an interdisciplinary team, which may include social workers, parent advocates, experts, and other professionals" and "Expanding available legal services to parents and families . . . [including] during investigations . . . to address a family's ancillary civil legal issues that may impact the removal of children and reunification, such as protective orders, housing and eviction issues, and guardianships.").

^G The summary in the chart of Iowa Legal Aid's Parent Representation Project is based on research current through March 4, 2021. *See* Iowa Legal Aid, *Parent Representation Project*, at https://www.americanbar.org/content/dam/aba/administrative/child_law/ila-parent-rep-project.pdf (undated pamphlet); *see also* Amber Gilson & Michelle Jungers, American Bar Association, *Preserving Families Through High-Quality Pre-Petition Representation* (March 4, 2021) at <https://www.americanbar.org/groups/litigation/committees/childrens-rights/articles/2021/spring2021-preserving-families-through-high-quality-pre-petition-representation/>; *See also* Casey Family Programs, *How can pre-petition legal representation help strengthen families and keep them together?* (Feb. 13, 2020) at <https://www.casey.org/preventive-legal-support/>; Am. Bar Ass'n & Nat'l Council of Juv. & Fam. Ct. Judges, Judge's Action Alert, *Supporting Early Legal Advocacy before Court Involvement in Child Welfare Cases*, *supra* note A; Family Justice Initiative, *Guide to Implementing FJI System Attributes: Attribute 4: Timing of Appointment*, *supra* note D.

^H Rob Wyman, at Casey Family Programs, indicated via email correspondence that the Iowa Parent Representation Pilot Project does not provide legal representation or assistance regarding immigration, workers compensation or torts issues.

^I Zoom interview with Jeff Wright, Iowa State Public Defender. *See also* Imprint Staff Reports, [Iowa Law to Test the Benefit of Early Legal Help in Child Welfare Cases](https://www.legis.iowa.gov/docs/publications/LGE/88/Attachments/SF2182_GovLetter.pdf) (July 1, 2020); *see also* 2020 Iowa Acts ch.1040, at https://www.legis.iowa.gov/docs/publications/LGE/88/Attachments/SF2182_GovLetter.pdf.

^J The Iowa State Public Defender's Office obtained grant funding for data collection and analysis to be conducted by Iowa's Division of Criminal & Juvenile Justice Planning, which is a research and data analytics agency within the state's Department of Human Rights, *see* <https://humanrights.iowa.gov/cjpp>.

^K Zoom Interview and email correspondence with Alyssa Rao, Esq., Equal Justice Works Fellow Attorney, Greater Boston Legal Services, Family Law Unit. *See also* Rob Wyman, *Testimony*, *supra* note A; Lauren Gase, et al., Office of Respondent Parents' Counsel, *Preventive Legal Services Implementation Guide*, *supra* note F, at Appx. B.

^L Zoom interview with Professor Vivek Sankaran, University of Michigan Law School. *See also* University of Michigan Law School, *Detroit Center for Family Advocacy Pilot Evaluation Report 7/2009 - 6/2012* (Feb. 2013); Detroit Center for Family Advocacy, U. Mich. L. Sch., *Promoting Safe and Stable Families* (2014), at <https://artscimedia.case.edu/wp-content/uploads/sites/35/2014/02/14194055/CFAReport.pdf>; ; *See* Vivek Sankaran, *Using Preventive Legal Advocacy to Keep Children from Entering Foster Care*, 40 Wm. Mitchell L. Rev. 1036, 1042-1043 (2014) at <https://repository.law.umich.edu/cgi/viewcontent.cgi?article=1946&context=articles>; The Prepared by nonpartisan legislative staff

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Detroit Center for Family Advocacy closed in 2016 due to a lack of funding. *See* Vivek Sankaran, *What We Need to Protect American Families*, The Imprint: Youth & Family News (Oct. 30, 2018) at <https://imprintnews.org/opinion/need-protect-american-families/32590>. The following sources of funding and technical assistance were cited in center's 2014 report: Casey Family Programs, Community Foundation for Southeast Michigan, Dewitt C. Holbrook Memorial Fund, McGregor Fund, Pillsbury Family Advocacy Fund, Retired Justice Bobbe & Jon Bridge, Skillman Foundation, Quicken Loans Foundation and W.K. Kellogg Foundation. The center also received administrative support from the University of Michigan Law School.

^M The Detroit Center for Family Advocacy assisted with powers of attorney, parking tickets, central registry expunctions and educational advocacy.

^N Zoom interview with Mary McManus-Smith, Family Law Chief Counsel, Sylvia Thomas, Chief Counsel of the Family Stability and Preservation Project, and Jonnell Casey and Anne Gowen, project staff attorneys, at Legal Services of New Jersey (LSNJ). LSNJ's program was formerly known as the Family Representation Project. *See also* Gianna Giordano & Jey Rajaraman, American Bar Association, *Increasing Pre-Petition Legal Advocacy to Keep Families Together* (Dec. 15, 2020), at <https://www.americanbar.org/groups/litigation/committees/childrens-rights/articles/2020/winter2021-increasing-pre-petition-legal-advocacy-to-keep-families-together/>; *see also* Casey Family Programs, *How can pre-petition legal representation help strengthen families and keep them together?*, *supra* note G; Family Justice Initiative, *Guide to Implementing FJI System Attributes: Attribute 4: Timing of Appointment*, *supra* note D; Am. Bar Ass'n & Nat'l Council of Juv. & Fam. Ct. Judges, *Judge's Action Alert, Supporting Early Legal Advocacy before Court Involvement in Child Welfare Cases*, *supra* note B.

^O New Jersey law prohibits the Department of Children and Families from employing "a person who is included on the child abuse registry" and prohibits such an individual "from being employed . . . in any facility or program that is licensed, **contracted**, regulated or **funded** by the Department of Children and Families." N.J. Stat. §9:6-8.10f, at [9:6-8.10f Check of abuse registry relative to individuals seeking employment. \(state.nj.us\)](#) (last visited Oct. 6, 2022).

^P Email correspondence with Emma Ketteringham, Managing Director, Family Defense Practice, The Bronx Defenders. *See also* The Bronx Defenders: Family Defense Practice (website) at <https://www.bronxdefenders.org/our-work/family-defense-practice/> (last visited Aug. 11, 2022); *see also* Lauren Gase, et al., *Office of Respondent Parents' Counsel: Preventive Legal Services Implementation Guide*, *supra* note F, at Appx. B; Am. Bar Ass'n & Nat'l Council of Juv. & Fam. Ct. Judges, *Judge's Action Alert, Supporting Early Legal Advocacy before Court Involvement in Child Welfare Cases*, *supra* note B; Family Justice Initiative, *Guide to Implementing FJI System Attributes: Attribute 4: Timing of Appointment*, *supra* note D.

^Q Social workers and parent advocates attend safety conferences with their clients at the Administration for Children's Services (ACS); while local policy prohibits attorneys from attending ACS safety conferences, an attorney at The Bronx Defenders who is dedicated to pre-petition legal representation oversees the social workers and parent advocates and provides additional legal assistance to pre-petition clients.

^R Zoom interview with Malena Arnaud, Social Work Supervisor, Center for Family Representation, Inc., Community Advocacy Project. *See also* Center for Family Representation: Community Advocacy Project (website) at <https://cfrny.org/community-advocacy-project/more-about-cap/> (last visited Aug. 10, 2022); *see also* Elizabeth Fassler & Wanjiro Gethaiga, *Representing Parents During Child Welfare Investigations: Precourt Advocacy Strategies*, 30 Child L. Practice 17 (2011) at <https://cfrny.org/wp-content/uploads/2021/03/Representing-Parents-During-Child-Welfare-Investigations-April-2011.pdf>; Am. Bar Ass'n & Nat'l Council of Juv. & Fam. Ct. Judges, *Judge's Action Alert, Supporting Early Legal Advocacy before Court Involvement in Child Welfare Cases*, *supra* note B.

^S A social work service model was chosen for the Community Advocacy Project because current local policy prevents ACS caseworkers from speaking to parents' attorneys without counsel present. The Center for Family Representation, which houses the Community Advocacy Project, is one of several contracted providers of indigent parent representation in child protection cases in NYC and, in that capacity, has attorneys that specialize in housing, immigration and criminal matters who can, on occasion, assist clients in the Community Advocacy Project. While the Center assists clients in obtaining orders of protection, it does not provide legal representation in custody matters.

^T The Center for Family Representation earlier operated a Community Advocacy Team program, through which parents who were the subject of an investigation were

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provided the assistance an attorney, social worker and parent advocate. Between July 2007 and November 2010, CFR's Community Advocacy Teams successfully prevented court filings in 70% of their cases. In addition, foster care placements were successfully avoided in 90% of the cases where petitions were filed. *See* Elizabeth Fassler & Wanjiro Gethaiga, *Representing Parents During Child Welfare Investigations: Precourt Advocacy Strategies*, 30 Child L. Practice 17 (2011) at <https://cfrny.org/wp-content/uploads/2021/03/Representing-Parents-During-Child-Welfare-Investigations-April-2011.pdf>.

^U Email correspondence with Ronald Baze, General Counsel, Oklahoma Department of Human Services. *See also* Oklahoma Human Services Waypoint Podcast Episode 5: *OKDHS and Legal Aid Services of Oklahoma help families engaged with the child welfare system navigate legal issues* (Sept. 21, 2021) at <https://podcasts.apple.com/us/podcast/waypoint-podcast-episode-5-okdhs-and-legal-aid/id1566960281?i=1000536190430>; Am. Bar Ass'n & Nat'l Council of Juv. & Fam. Ct. Judges, Judge's Action Alert, *Supporting Early Legal Advocacy before Court Involvement in Child Welfare Cases*, *supra* note B; Casey Family Programs, *How can pre-petition legal representation help strengthen families and keep them together?*, *supra* note G; Lauren Gase, et al., *Office of Respondent Parents' Counsel: Preventive Legal Services Implementation Guide*, *supra* note F, at Appx. B.

^V Zoom interview and email correspondence with Trine Bech, founder and former Executive Director, Vermont Parent Representation Center, Inc.; *see* Vermont Parent Representation Center, Inc., *Bending the Curve to Improve Our Child Protection System: A Multiyear Analysis of Vermont's Child Protection System & Recommendations for Improvement* at 40-47 (Nov. 14, 2018), at <https://www.vtprc.org/2018/11/14/bending-the-curve-to-improve-our-child-protection-system-report/>; *see also* Vivek Sankaran, *Using Preventive Legal Advocacy to Keep Children from Entering Foster Care*, *supra* note L, at 1042-1043.

^W Zoom interview and email correspondence with Trine Bech, founder and former Executive Director, Vermont Parent Representation Center, Inc.; *see* Vermont Parent Representation Center, Inc., *Rapid Intervention Prenatal Program* (website) at <https://www.vtprc.org/rapid-intervention-prenatal-program/> (last visited Aug. 13, 2022); Vermont Parent Representation Center, Inc., *Bending the Curve to Improve Our Child Protection System*, *supra* note V.

^X Zoom interview and email correspondence with Gina Cumbo, Vice President for Innovation & Impact at the Center for Children & Youth Justice and Matthew Boyle, retired Family Advocacy Center Project Attorney from the Northwest Justice Project. *See also* Casey Family Programs, *How can pre-petition legal representation help strengthen families and keep them together?*, *supra* note G; Lauren Gase, et al., *Office of Respondent Parents' Counsel: Preventive Legal Services Implementation Guide*, *supra* note F, at Appx. B. The Family Advocacy Center project provided ancillary civil legal assistance, social work and parent ally support both to pre-petition clients and to post-petition clients (who were separately represented by a public defender in the child protection proceeding). The chart focuses on pre-petition work.

^Y The Center for Children & Youth Justice (CCYJ) developed the Family Advocacy Center (FAC) pilot project in conjunction with a group of stakeholders, including the state's Department of Children, Youth and Families. CCYJ also provided funding and oversight for the FAC as well as social work services. CCYJ contracted with the state's largest legal aid provider, the Northwest Justice Project, to provide attorney services and with King County's branch of Parents for Parents to provide parent allies. While stakeholders anticipated that housing and public benefits assistance would be the most commonly required civil legal service, family law issues (restrictive parenting orders, guardianships, protection orders, etc.) were in fact the most common service required. The Northwest Justice Project attorney primarily provided legal advice and drafting assistance, with direct in-court representation rare and dependent on the ability of the client to engage in self-advocacy or, for example, on the severity of domestic violence in the case. Parent allies assisted clients in navigating the court process when direct in-court legal representation was not provided.

In cases where obtaining a guardianship order (these were called "non-parental custody" and not guardianship orders at the time of the pilot project) was identified as the critical civil legal issue, the Northwest Justice Project attorney represented the relative (usually a grandparent) seeking the guardianship and not the child's parents.

^Z Zoom interview and email correspondence with Talia AyAy, Vice President and Executive Director of the F.I.R.S.T. Clinic. *See also* Adam Ballout & Melinda L. Drawing, American Bar Association, *The F.I.R.S.T. Legal Clinic: A New Frontier of Partnerships to Stop Trauma* (July 14, 2022) at <https://www.americanbar.org/groups/litigation/committees/childrens-rights/articles/2022/summer2022-the-first-legal-clinic/>; *see also* Am. Bar Ass'n & Nat'l Council of Juv. & Fam. Ct. Judges, Judge's Action Alert, *Supporting Early Legal Advocacy before Court Involvement in Child Welfare Cases*, *supra* note B; Casey Family Programs, *How can pre-petition legal representation help strengthen families and keep them together?*, *supra* note G; Rob Wyman, *Testimony*, *supra* note A.