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Why These Parents Returned to a System That Took Their Kids Away

BY JEREMY LOUDENBACK





Parent partners (starting front left) Pari Lucero, Vanessa Sidway, Ruben Ruiz, Marisol Montiel and Dennis Johnson at a Lancaster court. Photo courtesy of Vanessa Sidway

For Pari Lucero, the path to escaping addiction and domestic violence started in a dependency courtroom three days after she gave birth to her daughter Beth.

Wearing a new dress, she listened with dread that day in 2006, as a lawyer for Los Angeles County pushed to remove her children after she tested positive for drugs at the hospital. When the judge agreed, a dazed Lucero watched as three of her children — including her newborn — were placed into foster care that very day.

“There was nothing more terrifying to me than being up against a system I knew nothing about,” she said.

Lucero, now 55, has been sober since that day 14 years ago, and she was eventually able to reunify with her children. After a journey that included homelessness, drug treatment and a brave move to leave her batterer, she now guides other parents who face family separation in Los Angeles County’s child welfare system.

“My natural life’s journey is to help other women survive what I went through,” she said.

Lucero is among a group of newly hired parent advocates with a past in the child welfare system who are providing advice and assistance to others with children placed into foster care. The advocates work with the Los Angeles Dependency Lawyers — court-appointed attorneys who provide free or low-cost legal counsel to parents in court proceedings. Known as “parent partners,” Lucero and nine other advocates help their clients complete court-ordered classes, connect to social services and feel supported during what can be a scary and difficult process. They also staff a new [helpline](#) that provides information and resources to families facing a dependency investigation or court case.

Modeled in part on a similar effort in New York City, Los Angeles County’s parent attorney firm is spending about \$500,000 on the advocates, with the goal of reunifying children more quickly with their parents or keeping them out of the system entirely. The parent advocate program also aims to decrease the number of children who enter foster care by 10% — by helping some parents before a dependency court case is even filed.

Parent advocates who have successfully reunified with their own children are an essential part of New York’s multidisciplinary defense model — which teams dependency lawyers, social workers and attorneys from other fields. A [2019 evaluation](#) of New York City’s parent defender law firms that rely on the model found this holistic legal approach helped reunify families four months faster than the traditional attorney-client model.

Seeing that approach in action was an inspiration to Dennis Smeal, the new executive director of Los Angeles Dependency Lawyers. Just days after taking on his new role last January, Smeal visited one of those firms, the Bronx Defenders — a group he calls the “apex” of legal representation for parents nationwide. After new funding became available from the Children’s Bureau of the federal Department of Health and Human Services in 2019, Smeal was able to launch a similar program in Los Angeles by fall of last year. That [rule change](#) allows funds under Title IV-E of the Social Security Act to pay for the legal fees of low-income parents and children involved in child welfare cases for the first time, providing millions of dollars to improve legal representation in the foster care courts.



Since then, states including California, New York and [Colorado](#) have used the funds for multidisciplinary legal teams that include advocates and social workers, according to Mimi Laver, legal representation director of the American Bar Association’s Center on Children and the Law.

Some Los Angeles foster care agencies and the Department of Children and Family Services have employed peer advocates for parents for years, in a county that removes children from their parents at [one of the highest rates in the country](#). But they have previously not worked directly with the parent law firms.

The advocates will greatly assist overloaded dependency court attorneys in Los Angeles County, who carry as many as 220 cases each and often have little time to give their clients the individual attention they require. In the nation’s largest child welfare system, overwhelmed and grieving parents are often left on their own to navigate compliance with court-ordered services, drug-testing and the completion of complex case plans needed to convince judges to return their children.

The effectiveness of parent advocates has been sparsely studied. A 2010 [U.C. Berkeley study](#) of Contra Costa County in California found that about 60% of children whose parents received such support reunified with them in 12 months, compared with 26% of children whose parents did not.

Berkeley social welfare professor Jill Deurr Berrick, one of the study's researchers, said a shared past with the child welfare system makes parent partners particularly well suited to engage clients who may lack the social connections they need to successfully reunify with their kids.

“Families involved with the child welfare system are much more likely to be socially isolated and cut off from resources and relationships,” Deurr Berrick said.

Parent advocates in Los Angeles have a legal standing that affords them the same attorney-client privilege that lawyers claim, allowing them to gain the trust of parents who are frequently wary of social workers.



“We’re also the living example to these parents that the dependency system — which appears to tower over them, that is so overwhelming, that is so often fear-based — can be overcome,” said Pari Lucero, a parent partner with Los Angeles Dependency Lawyers. Photo: Jeremy Loudenback

That assists advocates like Dennis Johnson, who works with parents in the Antelope Valley. Johnson said he previously worked as a parent advocate for the Department of Children and Family Services, but in that role, he had to tell his clients that he was a mandated reporter of child abuse and neglect. He also was unable to meet with parents outside of an office or assist with things like driving them to appointments.

“My hands have been untied,” Johnson said. “Working with the attorneys, I feel like I’m helping parents in a much more meaningful way now.”

Parents with child welfare cases across the country have faced unique struggles during coronavirus lockdowns, increasing the importance of robust representation. In a Monday episode of The Imprint’s weekly [podcast](#), members of the Office of Respondent Parent Counsel in Colorado — a statewide firm that employs attorneys working alongside parent advocates — described deep hardship throughout the pandemic.

A survey of Colorado lawyers revealed that a majority of their parent clients have faced substantial challenges to reunifying with their children. Nearly 82% said that in either every case or most of their cases during the pandemic parents did not have access to court-ordered services. About 34% of lawyers also said all or most of their clients experienced relapses or overdoses.

Cam Lundstrom, a parent advocate in Colorado, said once COVID-19 struck, the tremendous stress and uncertainty of the times caused many parents to lose focus on their case plans, interrupting efforts to recover from substance abuse or to heal from mental illness. Lundstrom also said resources that low-income parents typically rely on to stabilize their lives started to “dry up” because of the many people seeking help in the wake of job losses and other hardships — making his work all the more vital.

Those circumstances, Lundstrom said, “made it really hard for parents when they’re trying to build their family back together or create an environment for the children to come back to.”

Since launching its advocate program in October, parent partners with the Los Angeles Dependency Lawyers have played an important role during the pandemic by ferrying computers and connecting hot spots to parents’ homes so they can attend virtual court hearings.

Parent partner Johnson said along with such practical help, he also doles out daily support and advice for families experiencing unprecedented barriers to reunification, such as long

hearings have been delayed by six months or more. And many parents have gone months without touching or hugging their children.

“While these parents were in lockdown this year, all their children were bonding with other people,” Johnson said, referring to foster parents and other temporary caregivers.

For parent advocate Lucero, a message of “hope and recovery” is as important as helping parents with practical issues like getting enrolled in Medi-Cal or explaining the court process.

“We’re also the living example to these parents that the dependency system — which appears to tower over them, that is so overwhelming, that is so often fear-based — can be overcome,” she said.

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Los Angeles attorney Smeal said he believes this type of inspiration will help parents commit to life changes that will help them reunify with their children more quickly. And through a new helpline, he also hopes to help parents before a dependency case is even filed in court.

Earlier this year, Los Angeles parent advocates celebrated what they consider their greatest success to date. Domestic violence brought county social workers into the home of a family of seven. They warned that if the father did not leave, the children would be taken into foster care.

After the father called the newly created helpline, Lucero urged him to stay with relatives and attend violence prevention classes. Later, as a social worker with a signed warrant in hand prepared to take the kids into foster care during a meeting at a Department of Children and Family Services office, she stood by him throughout the negotiations, helping him remain calm, she said. And as a result, five children remained with their mom.

“That was a very, very good day,” Lucero said.