

CIVIL LEGAL AID SUPPORTS FEDERAL EFFORTS TO STRENGTHEN FAMILIES

THE NEED

Changing social dynamics have presented families in the United States with many challenges in recent years. Greater workforce participation has caused many families to confront work-life balance conflicts. More children are raised in households in which all parents are part of the work force. Longer life expectancy has exacerbated the challenge of balancing work-family responsibilities, as many individuals find themselves in the “sandwich generation,” caring for both elderly relatives and young children. America’s prison population has grown dramatically, increasing the number of incarcerated parents forced to separate from their children. Roughly 30% of incarcerated teen males are fathers, and nearly two million children in the United States have at least one parent in prison. Moreover, poverty continues to strain family stability and impede children’s long-term development and growth. Nearly half a million children are living in foster care, and more than 100,000 foster children are waiting to be adopted.

EXAMPLES OF THE FEDERAL RESPONSE

The Administration works on multiple fronts to strengthen families. President Obama has established a nationwide effort to support responsible fatherhood through mentoring programs that help reengage fathers in the lives of their children. The President’s signature initiative, My Brother’s Keeper, strives to promote healthy families by connecting boys and young men of color to support networks that help them develop the professional and interpersonal skills needed to excel as young adults.

At the Department of Health and Human Services (HHS), the Administration for Children and Families (ACF) provides programs that invest in financial capability and promote school readiness of young children in low-income households through supporting the comprehensive development of children from birth to age 5. ACF’s programs also build and sustain healthy marriages and relationships, strengthen positive father-child interactions, and serve youth living in foster care by caring for them, finding permanent families for them, and supporting transition from foster care into adulthood. ACF grant programs, like the Community Services Block Grant and the Child Care and Development Block Grant, help states and communities alleviate the causes and conditions of poverty, support child care for millions of low-income children, and focus attention on protecting children’s health and safety. ACF Children’s Bureau supports programs to ensure that every young person has a permanent family or familial connection. Furthermore, the Children’s Bureau’s Court Improvement Program works to improve the quality of legal representation for children and parents, and ensures the engagement of the entire family in child welfare court proceedings. Additionally, ACF’s Office of Child Support Enforcement promotes responsible parenting and family self-sufficiency by working to ensure that both custodial and non-custodial parents are able to provide for their children.

Many federal programs support children and their families, including Temporary Assistance for Needy Families (TANF), administered by ACF’s Office of Family Assistance at HHS, and the Department of Agriculture’s Supplemental Nutrition Assistance Program (SNAP), and Women, Infants, and Children (WIC) program. Also administered by HHS, the Affordable Care Act, Medicaid and the Children’s Health Insurance Program (CHIP) jointly provide affordable health coverage to millions of families.

The Department of Justice’s Office of Juvenile Justice and Delinquency Prevention oversees several programs that further promote healthy and stable families. For example, it administers the Second Chance Act Strengthening Relationships Between Young Fathers and Their Children: A Reentry Mentoring Project, which helps young fathers transition from secure confinement facilities back to their families by providing mentoring and employment assistance.

In keeping with the Hague Abduction Convention, the United States also assists foreign parents who are seeking access to or the return of their children who have been brought here by the other parent.



Civil legal aid saves public money by helping children leave foster care more quickly.

In Washington State, parents who receive high-quality representation in child welfare proceedings resulted in **children exiting foster care at a rate of 11% higher and adoptions nearly doubling**. When civil legal aid programs speed family reunification and adoption, they reduce public spending in the form of payments to foster parents, subsidies for children’s medical care, cash benefits, and the expense of monitoring the foster family.

~Laura Abel, National Center for Access to Justice, “Economic Benefits of Legal Aid”





Legal aid lawyers play a unique and critical role in protecting the rights of children and families, and access to legal services can make the difference in preventing homelessness, helping families stay together, and helping parents get jobs to support their families.

~Mark Greenberg

Acting Assistant Secretary, Administration for Children and Families, HHS

Legal Aid Helps

- **Assist parents in child welfare cases**, which helps keep families together and reduces the time children spend in foster care.
- **Protect the employment rights of pregnant women, new parents, and caregivers** by offering free and confidential advice about time off work, paid leave, and accommodations.
- **Assist formerly incarcerated individuals transition back to their families and communities** by helping them find housing, obtain employment, and gain access to other community services.
- **Collect child support payments and modify child support orders** through direct representation, clinics, and other self-help services and information.
- **Ensure that at-risk families can access public benefits**, including TANF, CHIP, SNAP and WIC, by offering assistance, determining eligibility, completing applications, and appealing erroneous denials.
- **Represent indigent foreign parents** in Hague Abduction Convention cases for the return of or access to their children who have been taken by the other parent to the United States to skirt or avoid the resolution of the child's custody in their home country.
- **Represent foster parents and relatives** seeking to adopt or obtain guardianship or custody of children involved in – or at risk of entering – the child welfare system.
- **Help foster youth** stay in contact with siblings, access benefits available to former foster youth, and obtain legal identification such as birth certificates and Social Security cards.
- **Prevent future violence** by obtaining, renewing, and enforcing protective orders in court.

Father and son get parenting support from legal aid

“Christopher” was a dedicated father to a young son, for whom he regularly paid child support. When his work schedule was reduced and his earnings dropped, he sought help from the Alameda County Superior Court Family Law Facilitator’s office, which is funded in part by ACF’s Child Support Enforcement Program at HHS. A staff attorney there helped him request a modified child support order that would reflect his pay cut. The lawyer then explained how Christopher could use this opportunity to request increased visitation time with his son and take on more parenting responsibility. Staff from the court’s Family Law Facilitator’s Office was present at the hearing to provide legal information and procedural guidance to Christopher. The court made the proposed changes and Christopher’s payments were reduced to an amount that he could afford. He began picking his son up from school twice a week and eating dinner together, before returning him to his mother.

Legal aid helps to create a stable and loving family

“Timmy,” a four year old boy, had never known a parent other than his 53 year old grandmother, Sandra, who cared for him on her own from the time he was one. On Timmy’s behalf, Sandra was receiving TANF funds from the Mason County, West Virginia, Department of Health and Human Resources Office. In 2013, she contacted Legal Aid of West Virginia (LAWV) to request help formally adopting her grandson. Through LAWV’s WV WORKS Legal Support Project, which receives funds from the state’s TANF program, a staff attorney took on the adoption case and helped complete the adoption in 2014. Sandra and Timmy were overjoyed that Timmy’s permanent home would be with his loving “ma-ma.”

