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ARTICLE

Cornerstones of Interdisciplinary Prevention Advocacy

An overview of the prevention work at Dependency Advocacy Center to help contribute to building best practices for preventive representation and support.

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Amber's story of entanglement with the child welfare system begins in her own childhood, when she was removed from her mother's care. The system would then come back into her life when Amber (not her real name) had her own children: Her first son was adopted shortly after birth, and when her second son was three months old, he was removed by the local child welfare agency. With only six months to reunify, her time ran out, and she lost her son through the termination of her parental rights. The depression she experienced after the termination led her into methamphetamine use and an abusive relationship. When she became pregnant again, she stopped using drugs for a time, but her history of use, her previous dependency cases, and the violence in her relationship all put her at risk of losing another child. However, this time she was referred to First Call for Families to receive the support of a prevention team: an attorney, social worker, and mentor parent with lived experience in dependency court. Though she faced many obstacles along the way, the First Call team has supported her over the course of a year as she achieved sobriety, left her abusive partner, and got into stable housing. She recently celebrated her son's first birthday—the first time she has been able to reach this milestone with any of her children.

While Amber's success in fighting for her family is ultimately the product of her own resourcefulness and resolve, the support of an interdisciplinary prevention team was invaluable in helping her achieve that goal. Her case is a perfect illustration of the growing consensus in the child welfare community that family preservation efforts are significantly more effective when deployed before court involvement and the removal of a child.

As the realm of prevention advocacy expands, however, it opens up the question of *how to build, sustain, and center such programs*. The prevention programs of the Dependency Advocacy Center's (DAC) offer one model for how advocates can support families to avoid the trauma of family separation and court involvement. Through our work in this space over the past six years, DAC has identified the following cornerstone principles for designing, implementing, and maintaining child welfare pre-petition programs.

1. Leverage Existing Relationships to Build Prevention Programs

DAC, located in San Jose, California, has been serving families as court-appointed counsel for parents and minors since 2008. DAC is in the unique position of having not one but two prevention programs embedded within its larger family defense practice: Corridor (launched in 2017) and First Call for Families (launched in 2021). Through DAC's work as court-appointed counsel in open dependency cases, the need for representation and support before court involvement was painfully apparent, and we began to seek out opportunities to provide that pre-petition representation. Our efforts to create pre-petition programs would not have been possible, however, without the existing relationships we had built within the community.

DAC has always believed that our role as family defenders also requires engagement with leadership in county-wide initiatives and agencies that touch the lives of our client families: not only child welfare and child well-being but also behavioral health and criminal justice. Participation in county-wide system-level leadership has also consistently incorporated our mentor parent staff, growing from an acknowledgment that families most affected by these systems also deserve to be involved in these decisions. Mentor parents' lived experience as families directly affected by the child welfare system has led to more grounded and practical policies being designed for families involved in the child welfare system.

When we began to explore avenues for pre-petition representation, being in the rooms where key decisions were made eventually attracted leaders from other spaces who shared our vision of

rooting families in community and not systems. One of these individuals was Chief Probation Officer Laura Garnette, who saw that the same families were entering both the criminal justice and the child welfare systems, and recognized the need for more targeted support to prevent further involvement in either. She was also familiar with DAC's Mentor Parent Program and had seen the value of a community-based, interdisciplinary team. Many conversations later, and with the chief's leadership, the Adult Probation Department funded DAC's first foray into the prevention/pre-petition family defense space in 2017: Corridor. As an interdisciplinary team comprising an attorney, a social worker, and two mentor parents, Corridor provides preventive services to parents on probation who either have an open dependency case or who are at risk of child welfare system involvement.

DAC was also at the table with our local child welfare agency, the Department of Family and Children's Services (DFCS). Despite often being in opposing positions in the courtroom, DAC has historically recognized the value of engaging with DFCS at a leadership level. Over the past several years, DFCS has begun shifting its practices, resources, and energy from removal to prevention and family preservation. As DAC saw this realignment beginning within DFCS, we were well positioned to pitch the need for preventive legal services, leveraging our success with Corridor. In 2021, we secured funding for First Call for Families, an interdisciplinary prevention program, and our contract was expanded in 2022 for another three years.

Although receiving funding for a preventive legal services program from the same agency tasked with investigations and removals may seem to carry the risk of conflicting interests, DAC has been clear with DFCS from the outset that our role is first and foremost parent representation, rather than accommodation of agency goals. DFCS leadership has been very understanding of the need for this kind of parent representation and has shown an extraordinary commitment to ensuring access to counsel for parents even at the pre-petition stage. Likewise, Probation Office staff, despite their supervisory and law enforcement obligations, have respected our need to maintain attorney-client privilege and confidentiality with our Corridor clients and recognized the value of connecting the individuals they supervise with a support system the client can fully trust.

For many years, DAC has also worked in partnership with faculty and students at a local university for assistance with program evaluation and assessment at no cost to our organization. DAC has also worked previously with the university to develop specific data collection and evaluation tools designed to capture the work of our interdisciplinary teams and a variety of outcome measures. We were then able to easily modify those tools for our new prevention-focused services.

In every community, there are agencies, community organizations, or at least individuals hoping to preserve families and support innovative programs. Finding those natural allies, even in the most unlikely of partnerships, has been crucial to our success in the creation of our prevention programs.

2. Build the Team by Embracing Interdisciplinary Advocacy

DAC's approach to holistic family defense deploys an interdisciplinary team of attorneys, social workers, and mentor parents. The attorney provides legal counsel to the clients, as well as limited legal services when appropriate. The rest of the team also works under the supervision of the attorney, which allows for the attorney-client confidentiality to extend to the rest of the team and exempts them from mandated reporting rules. Social workers bring their clinical expertise to our practice by providing individualized assessments and recommendations, crafting safety plans, and building clients' self-advocacy skills, as well as providing resource referral, case management, and system navigation support to our clients. Mentor parents are perhaps the most transformational element of the team: They bring their personal experience with the child welfare system or the criminal justice system (or both) and their grounding in the community to provide support to parents. More than just a sympathetic listening ear—although this is also a crucial part of their role—they are powerful advocates because of their intimate understanding of what parents in these systems are experiencing. Many of DAC's mentor parents struggled with substance use and are active in their recovery, which uniquely equips them to support other parents trying to break the cycles of addiction. Our prevention teams maintain cohesion in our case work through weekly case staffings, where we review each client's situation and ensure that we are working together in a unified manner to support our clients.

In Amber's case, this interdisciplinary model was critical to her success. Although there were no imminent risks at the time her child was born—she had stopped using meth several months into her pregnancy, and her abusive boyfriend was in jail—the investigating DFCS social worker deemed that there were still significant risk factors and put her on a non-court case, in which she was allowed to retain custody of her child but was required to complete an informal case plan under DFCS supervision or risk removal. Several months after her child was born, her boyfriend was released from jail, which led to both escalating drug use and escalating violence. The DFCS social worker gave Amber the option of going into residential treatment—an option she was interested in, but which posed multiple logistical challenges for her. While Amber's attorney and social worker advocated with DFCS to give her more time, her mentor parent worked with her to

handle the logistical challenges and to ensure that she was able to go into residential treatment. At a Child and Family Team meeting held only hours after she entered residential treatment, the DFCS social worker suggested that if she had not made it there, DFCS would have applied to the court immediately for a protective custody warrant.

Amber left residential treatment before graduating from the program, but the First Call team was able to show her DFCS social worker that she was still maintaining her sobriety, and the non-court case was closed soon thereafter. Amber's time in residential treatment also gave her the reprieve she needed to jump-start her sobriety, distance herself from her ex-boyfriend, and obtain subsidized housing. Since leaving residential treatment, Amber has continued to receive support from the team: The First Call attorney assisted her in obtaining custody orders, her mentor parent has connected her to Narcotics Anonymous meetings, and the First Call social worker has supported her in accessing necessary community resources.

3. Fuel the Interdisciplinary Team Through Clinical Support

The success of our interdisciplinary model has been built on lessons learned through our established practice in dependency court representation. For example, we knew from our court work that sustaining an interdisciplinary team at a legal services organization also requires an investment in the well-being and professional development of our mentor parents and social workers through clinical supervision. Child welfare work often carries a degree of vicarious trauma, but this is especially true for our mentor parents, whose lived experience is so closely tied to their client work. For our social workers, clinical supervision provides a forum for them to apply the core principles of their profession to the work they do with our clients on a daily basis. Making a commitment to providing clinical supervision has also allowed us to attract and retain talented social workers who are able to work toward professional development goals, such as obtaining their licensure while working for DAC. Most importantly, this additional layer of clinical support for our social workers and mentor parents helps to ensure that our team members, who are in the trenches providing support to families at the most critical moments, have the support they need to sustain this work, no matter how challenging it may be at times.

4. Expand the Partnership and Stay Rooted in Community

One of the core tenets of our prevention orientation is that families are better served in and by community and natural support than by courts and court-related systems. For that reason,

although we have built-in referral pathways for our contracted funders (i.e., the county child welfare agency and probation), we are also proactive about community outreach to bring in more organic referrals. We frequently attend community resource fairs, back-to-school events, and local networking events. Corridor team members also have a regular presence at the Probation Office to connect directly with potential clients in need of Corridor's services.

Moreover, our prevention program teams frequently go to schools, shelters, hospitals, and the county jail to conduct Know Your Rights presentations with the aim of educating both the general public and service providers about the child welfare system and connecting families to our services. We widely distribute information on alternative caretaker arrangements with samples of caretaker affidavits and power-of-attorney templates in the community to empower families to make plans that keep children in their communities. We encourage mandated reporters to contact our programs as routinely as they would contact the county agency about potential child welfare concerns. For instance, some of our most fruitful referral partnerships have been formed with the staff at the county jail and medical social workers at the county hospital, who refer parents to us as soon as they have made a report, thereby allowing clients to get connected very early on in an investigation.

Staying rooted in community also means meeting clients in the spaces where their lives happen—their homes, their neighborhoods, their workplaces, their schools, their meetings with their probation officers and social workers. First Call for Families staff have an office at a local Family Resource Center, which has resulted in increased visibility in the community and gives us the ability to meet clients in an environment that feels warmer than a legal office. Furthermore, when making resource referrals, we strive to provide warm handoffs where resources are not only identified but verified. We network often with local legal aid and community resource agencies, to ensure that we are up to date on what services are available and the best pathways to access them. Support is provided with follow through and system navigation, which can take many forms: going with a client to the Department of Motor Vehicles, the embassy, or the benefits office. Through our system navigation and advocacy, our clients learn the skills to navigate and advocate for themselves in the future.

As child welfare pre-petition and prevention programs, we are committed to fighting poverty and racial inequity, which are the most significant predictors of child welfare involvement. Given the high Latinx population in our county and the disproportionate representation of Latinx families in the child welfare system, we prioritized hiring bilingual Spanish-English staff when composing

our prevention teams. For all of our clients, we maintain access to a multilanguage translation service and strive to connect our clients with culturally competent service providers. In addition, DAC's prevention social workers and mentor parents work closely with clients as they navigate the challenges of poverty: advocating for access to public benefits and healthcare, supporting them in the search for subsidized housing, and connecting them to resources in the community. Although we are not civil legal aid practitioners, we have built relationships with partner agencies so that when we encounter collateral civil or legal issues outside the scope of our attorneys' experience—most often within the realms of housing and immigration—we are able to make warm handoffs to partner legal services agencies that specialize in those areas of law or work. For our clients with criminal justice system involvement, we have built strong partnerships with the public defender's office and work collaboratively with the office's attorneys to share information and advocate for better outcomes in our clients' collateral criminal cases.

As we root our clients in community and help them to increase self-sufficiency, their success helps prove that system involvement is not a long-term solution for child protection. Prevention programs demonstrate, by example, that when families have the resources they need to thrive and the ability to receive natural support within their community, the children are the ultimate beneficiaries as they can remain safely with their family and community.

5. Honor Client Self-Determination and Advocate Creatively

In traditional post-petition family defense work, definitions of success are often limited to discrete legal outcomes predefined by our governing statutes, such as dismissal of a petition, termination of jurisdiction, placement with a relative, reunification with one or both parents, or establishing a legal guardianship as an alternative to terminating parental rights.

In the pre-petition context, the primary legal objective is to avert court involvement and the removal of a child. However, we define ourselves more broadly, not only as pre-petition programs but also as prevention programs. Because a family's entanglement with the child welfare system often stems from a myriad of underlying causes, preventing such entanglement necessarily requires engagement with those underlying causes. This requires creativity and a willingness to take on a wide variety of roles. We do, at times, assume a more traditional attorney role, for clients undergoing active DFCS investigations, for example, who need representation in their interactions with DFCS, or in cases in which clients require family or probate court orders to keep a child safely in their care. Sometimes, though, preventing further child welfare involvement has meant helping

a parent break cycles of violence or addiction—most often through social worker or mentor parent support. For other clients, a significant amount of our work with them consists of resource referrals and navigation. For some clients, program engagement may take the form of a one-time consultation or resource referral, or short-term support during an active child welfare investigation. For others, program engagement involves individualized support on a long-term basis. We recognize that because preventing child welfare involvement looks different for every family, we must also be open to a broad definition of client engagement and define success beyond preventing a removal or the filing of a petition.

Ultimately, the extent of our work with our clients is dictated by our clients themselves, their individual goals, and their willingness to engage with us. We begin with the premise that client self-determination is a critical value in a space where choice is often constricted for the families we seek to serve and empower. While many of our clients may be referred to our programs by their social worker or by a probation officer, we stress that engagement with our services is voluntary and that our clients identify and direct the goals. While we may ideologically strive to prevent both current and future child welfare system involvement for our clients, we have had cases in which parents decide that they would rather submit to child welfare involvement.

Honoring client self-determination also means that we respect our clients as the experts in their own lives. While we may counsel a client regarding a specific course of action and the possible consequences of that course of action, we must vigorously advocate for the course of action the client decides to take nonetheless. Given how high the stakes are in our prevention cases, it can be easy to override clients' voices with the seeming urgency of a probation officer's or DFCS social worker's wishes. While this often comes from a well-intentioned effort to help avoid a filing or removal, it undermines trust and collaboration, and further amplifies the power of the system.

The value of this client-driven approach is once again borne out in Amber's case. The First Call for Families team had completed its initial intake with her only eight days after her son was born, while she was still relatively stable. This meant that when crisis hit, she already had a working trust with us and could both reach out for help and honestly describe her goals. When she wanted to leave residential treatment without graduating, she was able to articulate that to her mentor parent without fear of judgment. As a result, even though it was not her DFCS social worker's desired outcome, we were able to help her make that transition smoothly. With her child in her care and the non-court DFCS case closed, she has now achieved a "successful" outcome to her

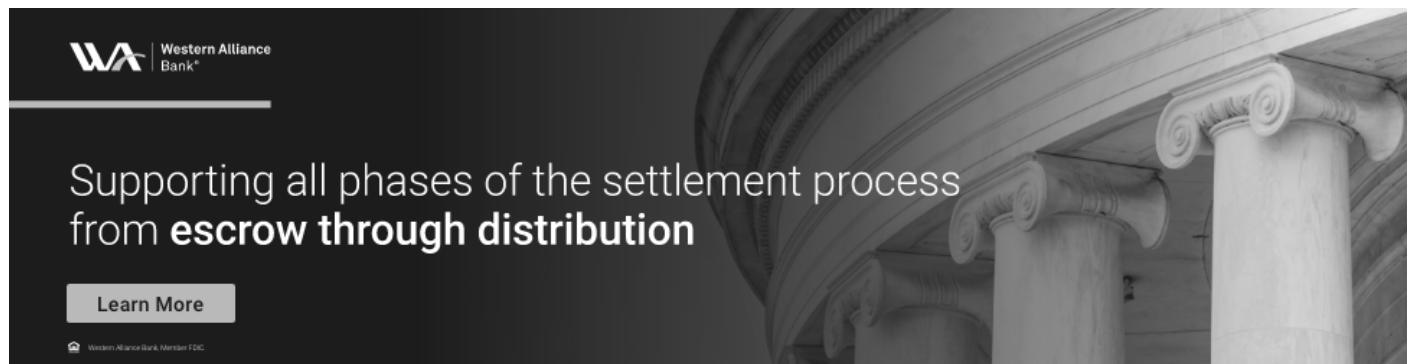
case, but she would not have reached this place without a prevention team believing that she was the expert in her own life and pushing for her desired outcomes at every step of the way.

Conclusion

The movement to prevent entry into the child welfare system is building momentum across the nation, but the specifics of what that work ought to look like are still emerging. It is our hope that this overview of the prevention work at Dependency Advocacy Center might be a useful contribution in building best practices for preventive representation and support.

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