

KATIE JOH  
ANA NEVAREZ  
(DEPENDENCY  
ADVOCACY  
CENTER)

JEAN PADILLA  
MICHAEL WHITE  
(BRONX  
DEFENDERS)

# Early Defense Practice: Two Models of Early Intervention and Pre- Petition Advocacy

# Dependency Advocacy Center's Prevention Programs

FIRST CALL FOR FAMILIES & CORRIDOR

# DEPENDENCY ADVOCACY CENTER (DAC) ORGANIZATION STRUCTURE

## **Legal Services (Juvenile Dependency Court)**

- Legal representation in Santa Clara County juvenile dependency court for parents and some minors
- Staff Attorneys
- Social Workers
- Mentor Parents (funding through drug treatment court)

## **Corridor**

- Interdisciplinary support for parents on adult formal probation in Santa Clara County
- Hybrid preventative and court representation
- Attorney-led interdisciplinary team model

## **First Call for Families**

- Fully preventative assistance
- Attorney-led interdisciplinary team model
- Services include Know Your Rights presentations, a warm line for counsel and advice, and individualized support for clients with a higher level of needs



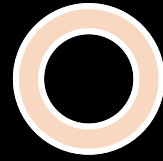
# A View From the Ground: Mentor Parent Perspectives

---

Ana's story of system involvement

"Amber's" story: the importance of care, compassion, and connection

The mentor parent's role in supporting parents/caregivers and keeping families together



Serving the Bronx, New York community



# EARLY DEFENSE AT THE BRONX DEFENDERS

# BRONX DEFENDERS: HOLISTIC EARLY DEFENSE TEAM

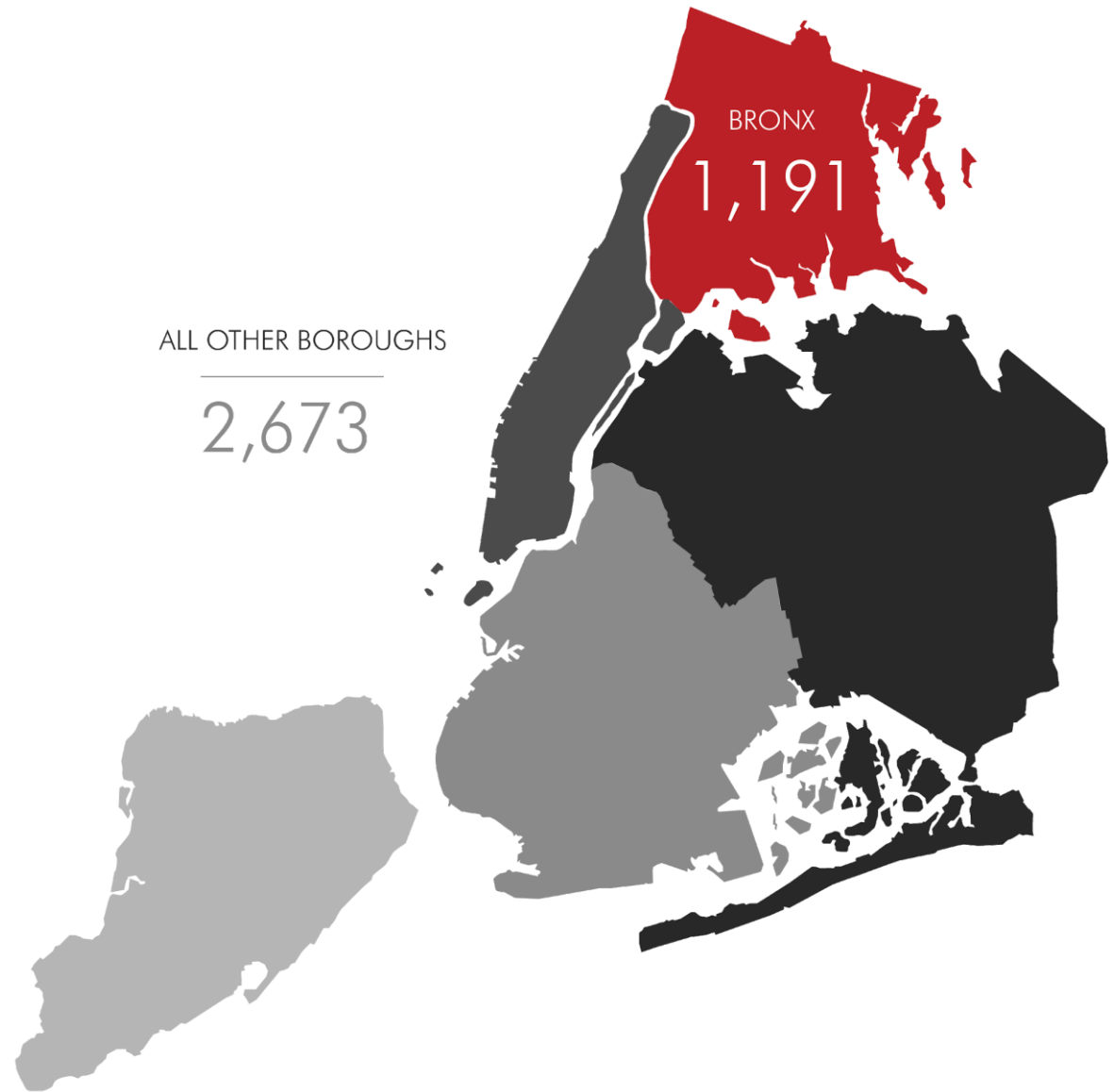
Holistic Team of lawyers,  
social workers and advocates  
in four practice area:

- Criminal Defense Practice Early Defense
- Immigration Early Defense
- Housing/Civil Advocacy Practice Early Defense
- Family Defense Practice Early Defense

# The Problem

---

In 2017, the Bronx had **more than 30% of all child removals** for New York City



# EARLY DEFENSE IN THE FAMILY DEFENSE PRACTICE

FDP Early Defense Team provides members of the Bronx Community with representation throughout investigations conducted by Child Protection Services ("CPS") with the aims of preventing Family Court involvement and reducing the harm imposed by the Family Regulation System

- Mandated reporters, by law, have to report any **suspected** neglect or abuse toward a child/children to the State Central Registry (SCR).
- This triggers a 60 day investigation against the parents or caretakers.
- Unlike a criminal case, there are no Miranda rights. Throughout the investigation you are not entitled to any legal representation.



# OUR MODEL

# What We Do

Help parents identify sources of support, like family members



Advise parents of their rights and responsibilities



Internal referrals for civil matters such as housing, immigration, and public benefits advocacy



Communicate with various individuals involved in the family's life, including CPS, schools, medical and service providers



Attend interviews, meetings, including the child safety conference



Connect parents to evidence-based, family strengthening services for themselves and their children, as identified by the parent

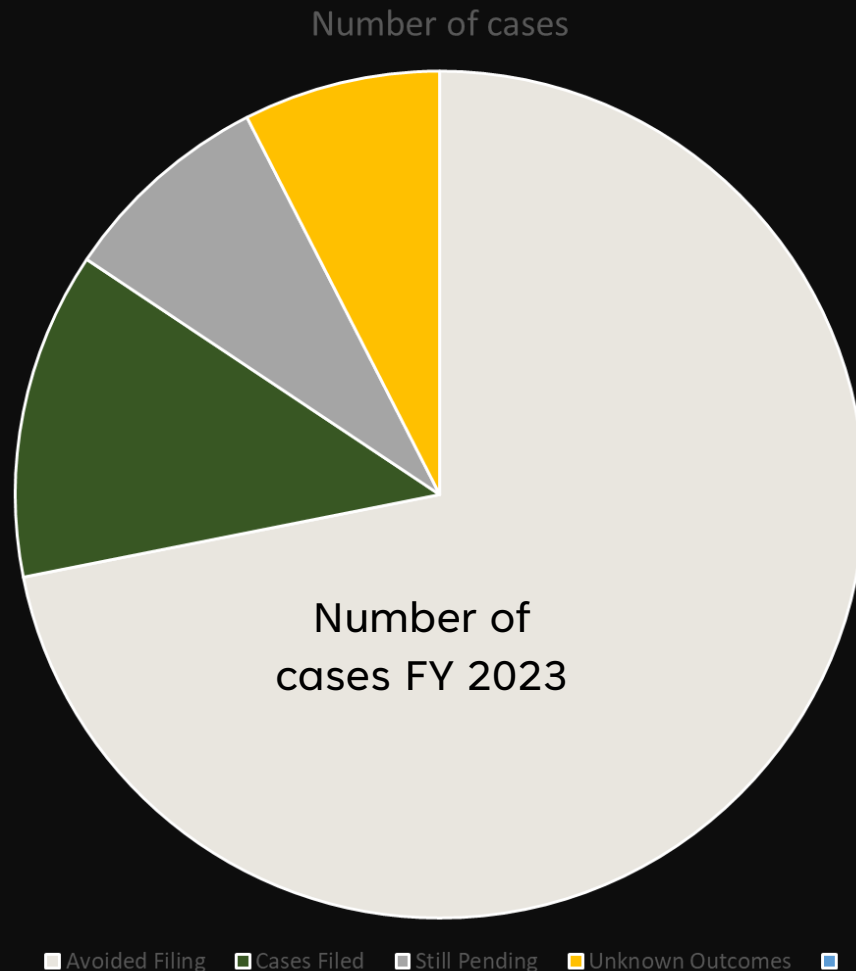


# GETTING CPS REPORTS AMENDED AND SEALED

- In NY, once a 60-day CPS investigation has concluded, often times that investigation results in an "indicated report" of child maltreatment against the parent
- An indicated report against a person can remain in the State's Central Registry for Child Maltreatment for many years and can have an adverse impact in employment, licensing, and in seeking to become an adoptive or foster parent

**The FDP EDP Team assists clients in challenging these reports by providing advise and/or representation at fair hearings**

# OUR IMPACT



During the 3rd quarter (January 1, 2022-March 31, 2022) of Fiscal Year 2023, we served 320 clients of the Bronx community. Of those clients we served, we saw the following Early Defense Advocacy outcomes:

230 clients avoided Article 10 cases filed in Court. 40 Article 10 cases were filed. 26 Investigations remained pending, and 24 outcomes were unknown during the 3rd quarter.

Additionally, 82 Clients received SCR representation and 22 cases, thus far, have been amended and sealed

82 Clients received SCR representation and 22 cases were amended and sealed.

# Lessons Learned: Cornerstones of Prevention Work

# Lessons Learned: Cornerstones of Prevention Work

## **1. Find allies.**

- Corridor: Chief of Probation
- First Call for Families: Department of Family and Children Services leadership

	May 2019	May 2020	May 2021	May 2022	March 2023 <i>(latest available data)</i>
<b>Calls to the Child Abuse &amp; Neglect Center</b>	2,773	1,490	2,294	2,643	2,815
<b>Investigations</b>	1,077	560	773	628	599
<b>Active DFCS Non-Court Cases</b>	116	365	247	177	296
<b>Petitions Filed in Dependency Court</b>	62	41	14	8	9

## Prevention Data in Santa Clara County *(point in time)*

Available at the County of Santa Clara Social Services Agency website,  
<https://socialservices.sccgov.org/about-us/departments-family-and-childrens-services/dfcs-reports>

	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
<b>Petitions Filed in Dependency Court</b>	1,528	1,097	198	102

## Prevention Data in Santa Clara County *(by year)*

Available at the County of Santa Clara Social Services Agency website,  
<https://socialservices.sccgov.org/about-us/departments-family-and-childrens-services/dfcs-reports>

# Lessons Learned: Cornerstones of Prevention Work

## **2. Build & support the interdisciplinary team.**

- Attorney-led interdisciplinary teams are crucial to client success.
- Social workers and mentor parents receive support through clinical supervision.
- Full team stays connected through regular staffings on cases.



# Lessons Learned: Cornerstones of Prevention Work

## **3. Remain based in community.**

- Physical presence in the community
- Know Your Rights presentations (shelters, jails, schools, hospitals)
- Strategic partnerships with other service providers (e.g., probation office, county ob/gyn clinic)
- Familiarity with local resources and service providers in order to make quick & accurate referrals

# Lessons Learned: Cornerstones of Prevention Work

## **4. Keep the client at the center.**

- Honor client self-determination in identifying case goals and outcomes
- Work with the client around both immediate investigation and longer-term, underlying challenges that could lead to investigations again in the future

Lessons  
Learned:  
Cornerstones  
of Prevention  
Work

**5. Stay rooted in a vision of a different way.**