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## Report of the Parent Self-Advocacy Working Group

### Cover Page Footnote

This report was co-authored by Lyn Slater (reporter) in collaboration with Jennifer Nelson (co-facilitator) and other working group members. The other members of the working group were Michael Arsham, Helene Craner, Vivian DeMilley, Ilze Earner, Jennifer Fisher (student secretary), Katherine Gerald, Arlene Goldsmith, Marlene Halpern, Sandra Jiminez (co-facilitator), Stephen Kapovich, Stephanie Nilva, Danielle Nisivoccia, Barry Rosenfeld, Sharone Salaam, Lauren Shapiro, Carol Stokinger, and Charles Walker

# REPORT OF THE PARENT SELF-ADVOCACY WORKING GROUP<sup>1</sup>

## CHARGE

What should the Conference recommend to parents about ways they can help empower themselves and other parents to better achieve justice for themselves and other parents in the child welfare system?

## INTRODUCTION

The Parent Self-Advocacy Working Group was charged with developing recommendations about ways parents could empower themselves and other parents to better achieve justice for themselves and other parents within the child welfare system. First and foremost, the working group believed that all system participants must acknowledge that the current child welfare system penalizes parents who are assertive in advocating on their own behalf and on behalf of their children. Parents who question or confront caseworkers about service plans established for themselves or their children are frequently judged to be noncompliant, "angry," and counterproductive to their children's plans. A question raised by a parent, even for the purpose of obtaining information or clarification, is often seen as a challenge to the caseworker's authority and a threat to the caseworker's privileged knowledge of the parent's child. The punitive and retaliatory nature of this system was a constant concern of professionals and parents alike even within the pre-Conference planning meetings, where parents' active participation in the Conference was discussed.

A tension that emerged was how professionals could inform and advise parents about the possibility of system retaliation without being paternalistic. The working group members also expressed a related concern that there is little or no acknowledgement on the part of

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professionals that the experience of having a child removed, no matter what the context, is deeply traumatic. Many parents respond to such an experience by becoming immobilized and initially unable to act on their own or on behalf of their child, and this response is often interpreted by professionals as a lack of interest or evidence of a mental disorder such as depression. This behavior must be re-characterized as the expected and normative response of a person who has just undergone severe trauma and suffered a tragic loss. Outreach and engagement is crucial for this group of parents. All professionals and parents affiliated in any way with the child welfare system must work to address and transform this punitive and alienating culture as the first step towards achieving justice for parents and creating the opportunity for parent empowerment.

The working group first identified the various existing models of parent advocacy groups. These organizations fell into several broad categories: (1) legal advocacy organizations (i.e., both community law offices and university-based clinics); (2) special interest advocacy groups with a stake in child welfare (e.g., incarcerated mothers, immigrants, and HIV/AIDS patients); (3) information disseminating organizations (e.g., Special Resources for Children); (4) grassroots organizations (e.g., Parents United for Children, Child Welfare Organizing Project); (5) Administration for Children's Services ("ACS"); (6) contract agency-based parent advocacy programs (e.g., St. Christopher Inc., New York Foundling, Graham Windham); and (7) government-sponsored advocacy (e.g., C-PLAN). The group debated the important question of whether services that facilitate parent self-advocacy should be agency-based or entities independent of agencies. There was a consensus reached that all models of parent advocacy, including agency-based ones, are needed to collectively address the different needs of the parents and offer parents the opportunity to make different choices about how and where they wish to obtain support.

The issues of race, class, and gender emerged from the working group discussions. The group recognized that members of poor communities of color and single mothers are over-represented in the child welfare system. Furthermore, while mothers are held responsible for the care of children, fathers are systematically excluded and not engaged by the system.

The working group further agreed that self-advocacy cannot occur unless parents are given full access to information about the following: (1) their rights and their children's rights; (2) the duties and responsibilities of the professionals assigned to represent and work with them; and (3) the types of services and entitlements available to them, both within and outside of child welfare. To facilitate this process, advocacy and organizing efforts should be directed towards

several system levels: the community level, the institutional level, and the agency level.

### I. ADVOCACY AND ORGANIZING EFFORTS NEEDED AT THE COMMUNITY LEVEL

Participants in the working group believed that parental empowerment should begin before parents become involved in the child welfare system. The first step in parental empowerment is to raise the consciousness of parents in the community about the child welfare system, how it functions, what rights the parents have, what behaviors are considered to be child abuse in this country, and what to do if they become the subject of an investigation.

There was a consensus reached that organizers should use existing community structures, such as churches, parent-teacher associations in schools, continuing education in local high schools, health centers, settlement houses, and other community-based organizations, to disseminate information and actively engage community members who are not yet directly affected by the child welfare system. These educational resources should make sure that language barriers, literacy, and other special concerns of parents are addressed to maximize their access to the system. The need for more comprehensive, community-based preventive and after-care services was identified as a top priority for legislative, policy, and funding agendas that *all* community members, and not just parents who are already involved in the system, could actively support. This involves advocacy efforts directed at all systems affecting poor communities including welfare, housing, health care, and education.

The working group agreed that already-existing parent advocacy organizations should establish more formal coordination and networking among each other. This would permit organizations to develop common goals and resources and facilitate the sharing of already-published education and advocacy materials. Strategic and collaborative planning needs to occur on how to reach and engage a greater number of parents in the organizing and advocacy efforts.

### II. ADVOCACY AND ORGANIZING EFFORTS NEEDED AT THE INSTITUTIONAL LEVEL: FAMILY COURT & GRADUATE EDUCATION

As the working group worked on developing a model of parental self-advocacy, it was noted that parents have different needs at different points in their engagement with the many actors in the system. The stage of investigation and removal was identified as a particularly vulnerable time for parents. At this initial stage, parents need a high level of advocacy and support.

Parents feel particularly helpless when interacting with the Family Court. They are often unclear about what they can, and should,

expect from their attorneys. When parents do not feel adequately represented, they have no way of expressing this concern to the judge. Parents are intimidated and confused by the language that is used in legal settings and frequently do not understand what is occurring. They are often not allowed to ask questions or speak for themselves.

During the placement phase of the process, the group identified the importance of having continuous representation for the parents by the same attorney and access to meaningful services. The working group believed that the Family Court has a major responsibility to provide parents with information that not only informs them of their rights, but also tells parents what they can, and should, expect from the professionals with whom they interact, including their attorneys. Parents also need procedural information related to what is happening in court.

The group also agreed that there are differing standards of accountability for professionals and parents. Scheduling adjustments and adjournments are made based on the needs of the professionals; parents' needs related to work or child care responsibilities are ignored or considered to be irrelevant. Judges should tell parents and the agencies with which they are working what is expected of them, and the court should hold all parties accountable for meeting those expectations. The role of the court should be to safeguard parents' rights as well as children's rights. In order for the court to achieve this end, the group agreed on the importance of expanding the use of case conferencing. The group further agreed that judges need to have more complete information when they are reviewing removal decisions and service plan implementation and progress.

There was a consensus reached that parent advocates, modeled after those used in domestic violence cases, should be made available to those parents who need one-on-one support and assistance in negotiating the court proceedings. The advocate should be a parent who has already experienced the system. It is important to note that the advocate should not function as a substitute for the professionals who already have responsibilities in connection with providing services to the parents (e.g., lawyers and caseworkers), but rather as an assistant to the parent in ensuring the accountability of these professional service providers to the parents. Various suggestions about the concrete implementation of these recommendations, such as information kiosks, written materials, and space for an advocate office, were generated.

The working group also believed that the institutions of higher education, which have the primary responsibility of educating, training, and developing professionals who work in the child welfare system, should be targets of parent advocacy efforts. Research and program evaluation should include the perspective and feedback of the parents as service users. Parents' input should be solicited and

incorporated in curriculum development at these institutions. Value- and skill-based training should teach professionals ways to empower parents to be strong and effective advocates for themselves. The working group further believed that universities should form a partnership with the community in facilitating and supporting the coordination and expansion of current organizing and advocacy efforts.

### III. ADVOCACY AND ORGANIZING EFFORTS NEEDED AT THE AGENCY LEVEL

The working group believed that ACS has the ultimate responsibility to ensure that parents have access to information about the responsibilities and rights of service providers and about the expectations ACS has for the parents. Publicly-funded agencies like ACS should be required by the Legislature to establish parental advisory boards where parents could meaningfully participate in both evaluating existing services and making recommendations about services that are needed but not currently in place. Parental evaluations should be one of the sources of information ACS uses to evaluate agency performance when deciding on contract renewals for voluntary foster care agencies. The working group believed a critical focus for advocacy efforts is to make the foster care agency service plan review (at which parents negotiate and interact with agencies about service provision, visitation, and accountability for safe and appropriate care of their children) a meaningful venue, where the right of the parents to services and the knowledge of parents about their own needs and those of their family members are respected.

Parents should insist that agencies follow regulations that permit parents to bring advocates to service plan reviews. Information should be provided to parents before the service plan review so that they can obtain the understanding and support they need to fully participate and, if they so choose, to challenge agency decisions. If taken seriously by all parties, the service plan review can facilitate accountability and responsiveness on the part of all participants in the system.

The parents in the working group identified as particularly critical the provision of after-care services, not only as a way to prevent the re-placement of children in foster care, but also to assist the family in the healing and adjustment processes that must occur in the aftermath of removal. The working group agreed that exploring ways to influence public policy to shift funding and programming towards community-based prevention and after-care services is the greatest priority for any advocacy effort.

Although the working group sometimes disagreed as to what might be the best way to implement some of these recommendations, there

was overwhelming agreement about the critical need for information and support for parents as they interact with the system at every level.