

## Effects of an Interdisciplinary Approach to Parental Representation in Child Welfare (A summary of a recent research study in New York City)

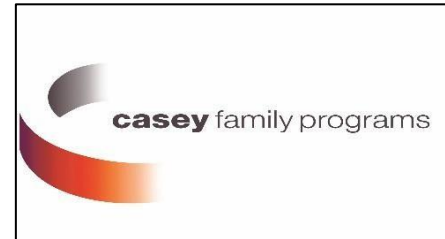
### Overview

This was a multi-year study of child welfare cases brought in the New York City courts to determine whether the kind of legal representation provided to parents can make a difference in the outcome of cases. It is the largest study of parental representation in family court ever conducted, tracing the outcomes of 9,582 families and their 18,288 children through a four year follow-up period. The study compared the outcome of cases based on whether parents were represented by solo practitioners who are experienced lawyers appointed to the Assigned Counsel Panel (panel lawyers) and parents who were represented by professionals who are part of a multi-disciplinary law office that includes lawyers, social workers and parent advocates (multidisciplinary representation).

### Findings

The study, which looked at cases brought between 2007 and 2014, studied cases handled by the three multidisciplinary law offices – **the Bronx Defenders, Brooklyn Defenders, and the Center for Family Representation** – that had contracts with the City of New York to represent parents in child welfare cases in the New York City Family Courts at the time (today, a fourth office, the Neighborhood Defender Services also has such a contract). By isolating the kind of legal representation the parents received from among the many variables that distinguish the cases, the researchers were able to conclude that any difference in outcome of cases between the two groups is attributable to the kind of legal representation the parent received. The key findings follow:

- ★ Multidisciplinary representation reduced children's time in foster care by nearly 4 fewer months during the 48 months following the petition filing, through faster early reunification outcomes, as compared to Panel representation. This amounts to up to nearly \$40 million annual savings in foster care board rates for NYC.
- ★ Children were just as safe with multidisciplinary representation. Representation type did not impact whether children experienced a subsequent substantiated report of child maltreatment during the 24 months following the petition filing.
- ★ The interdisciplinary family defense offices were able to secure the safe return of children to their families approximately 43% more often in the first year than the solo lawyers and 25% more often in the second year. Giving parents the right kind of legal team means families are reunited significantly sooner than would otherwise happen. The family defense offices allowed children to be permanently released to relatives 106% more often in the first year of a case and 67% more often in the second year. These families may otherwise have been permanently dissolved or the children may have spent their childhood separated from their family and aged out.



- 17 percent more children would be reunified within a month if their parents had multidisciplinary representation than if represented by panel lawyers.
- 14 percent of the children who went home within the first month because they had multidisciplinary representation would have remained in care if their parents had been represented by panel attorneys.
- 27 percent more children would be reunified with their families within six months if their parents had multidisciplinary representation than if their parents had been assigned panel attorneys.
- 18 percent more children would be reunified with their families within 2 years if they had multidisciplinary representation than if their parents had been represented by panel lawyers.
- Of those children who could not be returned to their families, 40% more children ended up with a permanent disposition of guardianships when their parents had multidisciplinary representation than children whose parents were represented by panel lawyers.

### **Fiscal implications**

Because New York City adopted the multidisciplinary parental representation system in 2007 and now uses that model for most parent representation, instead of continuing to rely on panel attorneys to represent parents, the city saved an enormous amount of money by avoiding needless foster care. For example, if New York City provided all children's parents with multidisciplinary representation instead of panel attorneys, children would spend approximately 470,000 fewer days in foster care each year with a fully implemented program. That amounts to downsizing NYC's foster care system by around 12% and a total annual savings in local, state and federal costs of slightly more than \$39,500,000.

### **Reference**

Gerber, L.A., Pang, Y.C., Ross, T., Guggenheim, M., Pecora, P.J., & Miller, J. (In press). Effects of an interdisciplinary approach to parental representation in child welfare. *Children and Youth Services Review*, <https://doi.org/10.1016/j.childyouth.2019.04.022>

### **For More Information**

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