



A Paradigm Shift in Child Welfare:
Preventing Removals by Supporting Families

**THE DETROIT CENTER
FOR FAMILY
ADVOCACY**

AN INITIATIVE OF THE UNIVERSITY OF
MICHIGAN LAW SCHOOL

April 7, 2010
Lansing, Michigan

**AN
INTRODUCTORY
PARABLE**



We Need a New Approach

- **For the past thirty years, child welfare policy has focused on minimizing harm to children already in foster care rather than preventing their entry into care.**
- **Despite the efforts of committed child welfare leaders and community providers, the prospects for these children are troubling.**
- **Unless a new model for the delivery of services is implemented, children will continue to enter and remain in care for preventable reasons.**



Our System is Overwhelmed

- Too many children enter care
- Too many children stay in care
- Treatment of children while in care is inadequate
- Too many legal orphans
- Prospects of children aging out of care are troubling
- Any attempt to reform foster care must begin by reducing the number of children who enter care



Rationale for the Detroit Center

- **Many children entering foster care need not be there.**
- **For parents, legal assistance is available only *after* children have been removed.**
- **Separation exacerbates the problems families face.**
- **Hypothesis: Comprehensive legal and social work advocacy can prevent the need for children to enter foster care.**



The Detroit Center for Family Advocacy (CFA)

- **Our History**
- **Multidisciplinary Advocacy**
 - **Attorney**
 - **Social Worker**
 - **Parent Advocate**



Referral Process

- **Referral Forms**
- **Referral Sources (Non-Exhaustive)**
 - **DHS – MAIN SOURCE**
 - **Court**
 - **Self-Referrals**
 - **Family Members / Friends**
 - **Healthcare Professionals**
 - **Mental Health Professionals**
 - **Community Agencies**
 - **School Personnel**
 - **Churches / Clergy**



Attorney

- **Develops legal strategy to address concerns of the DHS**
- **Advocates on Behalf of Client with DHS**
- **Initiates Court Action on Behalf of Client**
- **Negotiates/Advocates on Behalf of Client with Adverse Parties**



Social Worker

- **Identifies Resources for Client**
- **Makes Referrals for Client**
- **Advocates on Behalf of Client to Obtain Resources**
- **Provides Emotional Support**
- **Promotes Client Empowerment**



Parent Advocate

- **Helps Clients Understand and Navigate “The System”**
- **Helps Lawyer and Social Worker “Read” Client**
- **Helps Team Members Understand Practical Implications of Situation**
- **Provides Emotional Support**
- **Facilitates Client Empowerment**



The Client-Centered Approach

- **“Meeting the Client Where the Client IS”**
- **CFA Model is Based upon Tenant of Client “Self-Determination”**
- **Interventions are Tailored to Meet the Specific Needs of the Family as *Identified by the Client***
- **Promotes Client Empowerment and Decreases the Likelihood of Continued CPS Involvement**



Early Results

No. of Children Served

-Category I, II, III

No of Children Entering Care -- 0



Legal Issues – Some Examples

- **Housing Instability**
- **Domestic Violence**
- **Transfer of custody to non-offending parent or relative**



Housing Instability

- **Legal Services Remedies**
- **Defense Against Wrongful Eviction**
- **Claims Against Landlords Asserting Tenants Rights**
- **Foreclosure Protection (Tenants)**



Domestic Violence

- **Legal Services Remedies**
- **Custody for Non-Offending Parents**
- **Personal Protection Orders**
- **Supervised Parenting Time Orders**
- **Suspension of Parenting Time Orders**



Transfer of custody to non-offending parents or relatives

- **Legal Services Remedies**
- **Custody for Non-Offending Parents**
- **Establishment of Paternity**
- **Guardianship for Relative or “Fictive Kin”**
- **Third-Party Custody (Fictive Kin)**



Social Work Needs

- **Obtaining Housing**
- **Securing Move-In Expenses**
- **Appliances / Furniture**
- **Utilities “Shut-Off” / Account Openings**
- **Employment**
- **Medical Insurance**
- **Mental Health Services**
- **Educational Needs**
- **Parenting Education and Empowerment**



The Detroit Center for Family Advocacy (CFA)

Examples of Our Work

More Examples at


<http://www.law.umich.edu/centersandprograms/ccl/cfa/Pages/ExamplesofourWork.asp>

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Case Study

- **Facts**
- **Old Paradigm**
- **CFA Approach**
- **Legal Intervention**
- **Social Work Intervention**
- **Parent Advocate Intervention**



OUR COLLABORATION WITH THE DEPARTMENT OF HUMAN SERVICES

Why parent advocacy and empowerment is important to the Department of Human Services?



The Detroit Center for Family Advocacy (CFA)

- **Summary**
- **Questions**
- **Contact/Visit Us**
 - **3031 W. Grand Blvd, Suite 440, Detroit, MI
48202**
 - **313-875-4233 (phone)**
 - **lawdetroitcfa@umich.edu**
 - **<http://www.law.umich.edu/centersandprogram/s/ccl/cfa>**

Continuing a 30-year Legacy of Child Advocacy

In 1976, Michigan Law School Professor Donald N. Duquette founded the Child Advocacy Law Clinic (CALC), the first legal clinic of its kind in the United States. Today, CALC is one of the nation's most respected and influential child advocacy law programs, and Michigan Law is regarded as a leader in child advocacy, family law, and interdisciplinary approaches to child welfare law and policy.

The Center for Family Advocacy was developed by Professor Duquette and Michigan Law School faculty member Vivek Sankaran, a clinical professor in the Child Advocacy Law Clinic. Professor Sankaran is directing the Center.

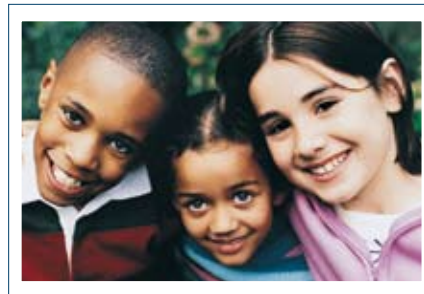
“*Unless a new model for the delivery of services is implemented, children will continue to enter and remain in foster care for preventable reasons, with tragic consequences. Building on its long and notable legacy of child advocacy and family law, the Michigan Law School—through the CFA—offers just such a model, one that holds out the promise of a better future for the children and families of Wayne County.*”

—Justice Bobbe J. Bridge, ret'd.
Founding President/CEO
Center for Children & Youth Justice

Creating a New Model of Foster Care for Wayne County

By providing comprehensive, coordinated legal and social work services to low-income families in Detroit, the Center for Family Advocacy (CFA) will:

- **Reduce the number of children in foster care** by strengthening families and supporting kinship care givers.
- **Prevent emotional trauma to youngsters** in peril of unnecessary or prolonged foster care placements.
- **Alleviate financial and staff burdens** on the state's child welfare system.
- **Allow the foster care system to focus its resources** on children in need of its protection.



Financial Support

Financial Support for the Detroit Center for Family Advocacy is provided by Jon and Bobbe Bridge, Casey Family Programs, Center for Children & Youth Justice, the Community Foundation for Southeast Michigan, the McGregor Fund, the Skillman Foundation, the Wayne County Department of Child and Family Services, the University of Michigan and other private donors.

The Detroit Center for Family Advocacy

An Innovative Model to Reduce the Number of Children in Foster Care



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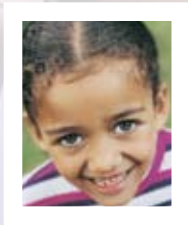
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UNIVERSITY OF MICHIGAN LAW SCHOOL

A Program of the
University of Michigan
Law School
Child Advocacy Clinic

A Tragic and Growing Problem

Generally, children at risk are best protected by empowering their families to protect and care for them. Unfortunately, services designed to prevent youngsters from entering foster care are largely unavailable causing children to unnecessarily enter the “system.” In Wayne County, approximately 1500 new child protective petitions are filed annually and, on any given day 7,000 children are in the temporary or permanent custody of the State. The foster care system is overwhelmed.

Despite the efforts of committed child welfare and community leaders, the prospects for children placed in foster care are troubling. Children in care routinely move from one home to another, receive inadequate medical and mental health treatment, endure severe emotional and physical trauma, and fall behind academically. Even worse, those who “age out” of the system are likely to end up in prison, unemployed, homeless, or dead.



Without innovative prevention programs that will reduce the need for children to enter or remain in foster care, these problems will persist for years to come.

An Innovative Solution

The Detroit Center for Family Advocacy (CFA):

- Empowers parents and extended family members to care for their own children
- Diverts children from public foster care and hastens the exit of others.

The CFA gives at-risk families in Detroit the legal tools necessary to protect their own children. CFA lawyers, with the assistance of a social worker and parent advocate, use legal mechanisms—such as guardianships, child custody or personal protection orders, or educational advocacy—to allow family members to protect and provide for children without the need for expensive and traumatic out-of-family placement.

The CFA also assists kinship and other caregivers to overcome legal obstacles to adoption or permanent guardianship—thus allowing children to exit government foster care.

By providing timely, coordinated support for parents and kinship caregivers the CFA is helping to stem the tide of unnecessary foster care placements. That in turn will enable the current system to address the needs of youngsters who desperately needs its protection and care.

In addition, this three-year pilot program is designed to:

- Provide pro bono opportunities for local law firms.
- Capture lessons from direct service and apply them to system reform.
- Offer a site for learning, practical application of knowledge, and community-based research for U-M students and faculty.
- Engage and sustain partnerships that will improve quality of life for the city of Detroit and its residents.

A Multidisciplinary Approach

With an emphasis on using private law remedies to keep children safe with their families, cases will be referred to the CFA primarily by the Michigan Department of Human Services. Once a case is accepted, a CFA attorney, social worker, and parent advocate will work closely with family members. Each individual on the CFA team will contribute a distinct set of skills.



The attorney will guide parents and caregivers through complex laws and procedures, providing zealous advocacy, timely legal assistance, and follow-up support.

The social worker will provide case management and help parents or caregivers access a network of social services.

The parent advocate, someone who has experienced the child welfare system firsthand, will offer support and advice on navigating the system.

Graduate-level professional students in social work and law will provide a variety of services.

A Unique Opportunity

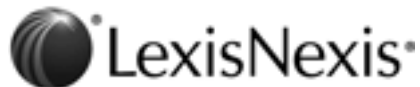
The CFA offers team members a rare opportunity to shape a more positive future for hundreds of Michigan children. The success of the Center depends on the collaboration of legal and social work professionals and graduate student interns, working in tandem with peer mentors, non-profit agencies, and government departments. To extend its capacity to serve families, the CFA will partner with attorneys from Detroit law firms and local law schools to handle cases pro bono.

We invite you to join us in this important endeavor.

For more information about the **Detroit Center for Family Advocacy**—and opportunities to support its work—please visit the CFA website at

www.law.umich.edu/centersandprograms/ccl/cfa/

Or contact the Center
Phone: 313.875.4233
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The Detroit News (Michigan)

September 30, 2009 Wednesday
1-dot Edition

SECTION: METRO; Pg. 3A

LENGTH: 378 words

HEADLINE: Center helps kids stay with families

BYLINE: Catherine Jun

BODY:

The Detroit News

Detroit - By the age of 2, Semaja Kelly was taken from her mother's home in Detroit after social workers discovered the infant's legs were fractured.

Semaja's grandmother in Florida, Carmita Kelly, stepped in to seek custody. But the interstate placement presented legal complications that threatened to slow the process and assign Semaja to the care of strangers.

Enter the Detroit Center for Family Advocacy.

This summer, attorneys helped Kelly obtain the certification and medical insurance needed to care for the girl.

"I have been blessed through all this," said Kelly, 45, who brought Semaja home to Almonte Springs in July. "To have someone to step in and do this with me was the best thing."

The center, developed by law professors at the University of Michigan Law School, offers free legal assistance and support to keep children with family members and out of the foster care system. The office works in collaboration with Wayne County's Department of Human Services.

Located on West Grand Boulevard, the center is targeting the Osborn neighborhood on Detroit's east side, where more than a third of the children live in poverty. The community has one of county's highest rates of children being removed from their homes.

"The prevailing view in this system is: remove the child first," said Tracy Green, managing attorney at the center. The center employs a social worker and parent advocate to guide families. The center aims to help 600 children over the next three years, said Vivek Sankaran, program director and law professor at Michigan Law's Child Advocacy Clinic. The program costs \$400,000 a year and is funded by the university, private grants and matching funds from Wayne County.

Center helps kids stay with families The Detroit News (Michigan) September 30, 2009 Wednesday

Petrece Wiggins had been battling an adoption agency to gain permanent custody of her nephews - Amarion Gantt, 6, Avion Johnson, 10, and Allonte Johnson, 15 - whom she'd raised for more than five years.

When she faced losing the boys to outside adoption, attorneys at the center stepped in and advocated on her behalf. Her adoption is back on track.

"They're my family," Wiggins, a 36-year-old manager at McDonald's, said. "I love them like they're my own."

Getting help

Call the Detroit Center for Family Advocacy at (313) 875-4233.

cjun@detnews.com (313) 222-2019

LOAD-DATE: September 30, 2009



1 of 6 DOCUMENTS

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Michigan Lawyers Weekly

September 14, 2009

SECTION: NEWS

LENGTH: 655 words

HEADLINE: New University of Michigan Law School advocacy clinic to help children and families better deal with foster care system

BYLINE: Alex Lundberg

BODY:

The tragedy of children entering the foster care system is almost a proverb. What's less well known is that many children put into foster care didn't absolutely have to be there.

The University of Michigan Law School has opened a new Center for Family Advocacy on the east side of Detroit to try to aid both families and the foster care system itself by helping to guide kids away from state-mandated care.

Vivek Sankaran is a professor in the school's Child Advocacy Law Clinic program and has been frustrated over the years not only by how hard it was to get children out of the foster care system quickly, but also by how many of them should have avoided it altogether.

"There are too many kids in the system and some of them don't need to be there at all," he said.

Out of the approximately 500,000 children in the foster care system nationwide, he said, between 65 and 70 percent are there because of situations of poverty or neglect.

Another 6 to 7 percent are there because of serious physical or sexual abuse. The rest, he said, could have avoided foster care if their families had the right tools and the right counseling.

"Families can get access to services like parenting classes and legal services, special education resources and domestic violence restraining orders," Sankaran said. "The center gives families access to help so they can make plans for their kids without going into the foster system. "

By all accounts, the Michigan foster care system is a bad place for a child to find him or herself. The entire system is under federal oversight, Sankaran said, for failing to meet the needs of the children in its charge.

There are too many children and too few resources. The Center helps the system and the state by trying to filter out the less-than-catastrophic cases.

"The system is overwhelmed and we're doing triaging," he said. "We want to make sure that the only kids to enter

New University of Michigan Law School advocacy clinic to help children and families better deal with foster care system Michigan Lawyers Weekly September 14, 2009

the system are the ones that absolutely need to. "

U of M staffs the clinic, and has clinic programs serving clients in Washtenaw, Genesee, Wayne, Jackson, Livingston or Monroe counties with a team of students, under supervision by clinical law faculty who are specialists in child advocacy law.

Sankaran said the U of M clinic program is one of the oldest in the country and was started in 1976.

In many of the cases they deal with, a lawyer is the right person to perform that triage, he said. Consider a mother in an abusive relationship: If her children stay in the home, they are in danger and should be removed. If a legal advocate can help draft a restraining order that removes the abusive adult, the danger is removed and the children don't have to be removed.

"The mother might know a restraining order is what she needs but not know how to get one," Sankaran said. "We can guide her through that process. "

Michael Patterson is the district manager of the North Central Children's Service District, a division of the Michigan Department of Human Services. He said more effort and resources go into managing families in the system than go into preventing them from entering in the first place.

"The Center's services are desperately needed," he said. "What they put into solving family concerns is highly cost-effective. "

He said the cost of a child in the foster system is \$15 to \$20 per day and that does not include the costs incurred within the court administrative system that manages them. The effect, for taxpayers, is a cheaper solution to the problems of families in crisis.

"It's a bargain for everyone," Patterson said. "Also, there's no way to estimate the cost to children's and families' emotional health upon entering the system. "

The Detroit Center for Family Advocacy is being funded with grants from the Skillman Foundation, the Community Foundation for Southeast Michigan, the McGregor Fund and from the Center for Children and Youth Justice as well as the University of Michigan and the Wayne County Child Care Fund.

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MISSING PARENTS

Clare Huntington *

* Associate Professor, University of Colorado Law School

TEXT:

[*131] In an effort to protect children from abuse and neglect, the child welfare system focuses on parents, both as potential wrongdoers and as the locus for rehabilitation. This attention informs the discourse surrounding state intervention: parents' rights are balanced against children's rights, and family autonomy is understood as an overriding value. But the child welfare system centers parents in the wrong way, leading to academic debates that miss the mark and methods of intervention that are often counterproductive.

An effective child welfare system would be built upon the understanding that, in general, the state can best support children by supporting their parents. Currently, the state largely ignores parents until a crisis occurs in a family and then overrides parents afterwards. As a result of missing parents in this way, the system is also missing the well-being of children. The present orientation fails to recognize that, in many cases, there is an alignment of interests between parents, children, and the state.

To be sure, the current system ostensibly helps parents. The state is supposed to preserve families when possible and reunite children with parents if it is safe to do so. But the state support provided to these ends falls far short of the mark. The state does far too little to prevent child abuse and neglect, and when it does occur, the state provides little meaningful help for parents to address the issues underlying the abuse and neglect. Moreover, in both efforts, the state rarely engages with parents as partners.

In this essay, I set forth a vision for a different child welfare system that would both prevent child abuse and neglect as much as possible and, for cases that do occur, attempt to solve the underlying problems. In this re-imagined child welfare system, parents are necessary partners with the state. If the state truly seeks to prevent child abuse and neglect, it must engage with parents. And if the state truly seeks to solve the problems facing [*132] families in the child welfare system, it also must engage with parents. In this essay, I describe this parent-centered vision, drawing on earlier arguments I have made for improving the child welfare system. n1 In this re-imagined system, parents, missing no longer, are key to the safety and well-being of children.

n1 See generally Clare Huntington, *Mutual Dependency in Child Welfare*, 82 *NOTRE DAME L. REV.* 1485

(2007) [hereinafter Huntington, *Mutual Dependency*]; Clare Huntington, *Rights Myopia in Child Welfare*, 53 *UCLA L. Rev.* 637 (2006) [hereinafter Huntington, *Rights Myopia*].

I. Present but Not Accounted For

The purpose of the child welfare system is to protect children believed to be abused or neglected by their families and to strengthen families where children are at risk for abuse and neglect. n2 States work toward this goal by using the *parens patriae* authority to intervene in families to offer "child protective services." n3 These interventions range from support to keep a family together to removing a child from a biological family and placing the child in foster care, which sometimes leads to the termination of parental rights and the adoption of the child.

n2 See, e.g., MINN. STAT. § 626.556 (West 2004); GA, CODE ANN. § 19-7-5 (West 2004); N.J. STAT. ANN. § 30:4C-1(a) (West 2005).

n3 In this article, I use the term "child welfare system" and "child protective services" interchangeably to refer to the entire system designed to respond to the abuse and neglect of children.

In one sense, the child welfare system pays great attention to parents. Child welfare authorities do not begin a case on behalf of a child simply because the state believes another parent would do a marginally better job raising the child. Rather, the state intervenes when a parent fails to meet minimum standards of care and the child is at risk. This determination necessarily turns on an assessment of the parent's treatment of the child. Similarly, once the child welfare system has begun a case, the final outcome depends on parental conduct. If a parent satisfies the requirements of the case plan and convinces the state she is able to parent adequately again, she likely will regain custody of the child. Conversely, if this is not so, the state may move to terminate the parent's rights to the child and place the child for adoption.

In this way, parents are at the center of the state's involvement in the family. The state intervenes only if a parent is not providing a minimally adequate level of care, and the state will cease its intervention if the parent establishes that she is again able to provide that minimum standard of care.

Despite this seeming attention to parents, the reality of the child welfare system is that *meaningful* attention to parents is sorely missing. The [*133] state does far too little to prevent child abuse and neglect, so that when the state does intervene, it is typically at a point of crisis in the family--after child abuse or neglect has occurred or when it is imminent. By this time, children have been hurt in numerous ways. n4 Further, the relationship between the parent and the state has been damaged, with the state in the position of threatening removal of the child and the parent typically trying to resist this removal. At this point of conflict, there is a fundamentally adversarial relationship between the state and parent, which hinders the possibility of cooperation and highlights the power imbalance between the state and families.

n4 See Huntington, *Mutual Dependency*, *supra* note 1, at 1487 n.3 (describing long-term detrimental effects of child abuse and neglect for the child).

Not only is the timing of state intervention off, but also the type of intervention the state does offer typically fails to meet the real needs of families. The support the state provides to help a parent reunite with her child is often woefully inadequate, with nothing more than boilerplate requirements and little assistance in satisfying these requirements. n5 Further, although child abuse and neglect are serious and no child should ever have to experience them, the removal of a child from her home and placement in foster care have their own attendant risks. n6 If the state truly wanted to help children, it would intervene in a substantially different manner. The next two parts describe such a child welfare system.

n5 See Annette R. Appell, *Protecting Children or Punishing Mothers: Gender, Race, and Class in the Child Protection System*, 48 S.C. L. REV. 577, 583 (1997); see also DOROTHY ROBERTS, *SHATTERED BONDS: THE COLOR OF CHILD WELFARE* 79 (2002).

n6 See Huntington, *Rights Myopia*, *supra* note 1, at 660-62 (describing these risks).

II. Parents as Partners in Prevention

It is possible to prevent much child abuse and neglect. Both general antipoverty programs and targeted prevention programs are effective means for reducing rates of child abuse and neglect. n7 For example, the Nurse-Family Partnership program has been very successful both in preventing child abuse and neglect and serving the needs of parents and children. n8 In this program, a public health nurse visits a low-income, first-time parent during pregnancy and the first two years of a child's life. n9 The nurse works closely with the mother on improving prenatal health, helping parents provide more competent care to the child, and assisting with the family's economic stability by helping parents develop and accomplish [*134] goals related to staying in school and finding work, as well as helping parents plan subsequent pregnancies. n10 The results of the program are striking. Families receiving this kind of support have an eighty percent lower incidence rate of child abuse and neglect than similarly situated families, n11 as well as numerous other benefits. n12

n7 See Huntington, *Mutual Dependency*, *supra* note 1, at 1492-97, 1531-34.

n8 For a discussion of the cost-effectiveness of the visiting nurse and early childhood education programs, *see id.* at 1532-34.

n9 See U.S. Dep't of Justice, Office of Juvenile Justice & Delinquency Prevention, *Nurse-Family Partnership*, OJJDP MODEL PROGRAMS GUIDE 1 (2006).

n10 See Judith Glazner *et al.*, *Final Report to the Administration for Children and Families, Effect of the Nurse-Family Partnership on Government Expenditures for Vulnerable First-Time Mothers and their Children in Elmira, New York, Memphis, Tennessee, and Denver, Colorado*, 1 (2004); *see also* *Nurse-Family Partnership*, *supra* note 9, at 1 (describing program).

n11 See David L. Olds, *Prenatal and Infancy Home Visiting by Nurses: From Randomized Trials to Community Replication*, 3 PREVENTION SCI. 153, 161 (2002); *see also id.* at 161-63 (discussing this finding in greater detail, including evidence that reductions in child abuse and neglect persisted over a fifteen-year period, despite an initial up-tick following the end of the program; further finding that the participating families who did not experience lower rates of child abuse or neglect were families with domestic violence); *Nurse-Family Partnership*, *supra* note 9, at 1.

n12 Studies documenting the positive benefits of the program for both parents and children abound, but to give just one example, children in the visited homes had lower rates of involvement in the criminal justice system. *See* David Olds *et al.*, *Long-term Effects of Nurse Home Visitation on Children's Criminal and Antisocial Behavior: 15-Year Follow-up of a Randomized Controlled Trial*, 280 JAMA 1238, 1241 (1998).

Early childhood education programs also are associated with reduced rates of child abuse and neglect, at least when the program offers services to the family in addition to the child. n13 For example, the Chicago School District's Child-Parent Center provides early childhood education to children beginning in preschool and either ending at kindergarten or continuing until third grade. n14 The program provides services to children, including health screening and free meals, and to parents, including home visits and referrals to social service agencies. n15 The program also teaches parents in separate classrooms with different teachers. n16 A study of the program found that the rate of child abuse and neglect among children in the preschool program was fifty-two percent lower than the rate in the [*135]

control group. n17 The results were even better for those children who stayed in the program for at least four years. For these children, the child abuse and neglect rate was forty-eight percent lower than the rate for children in the program for one to four years. n18

n13 See A.J. Reynolds & D.L. Robertson, *School-Based Early Intervention and Later Child Maltreatment in the Chicago Longitudinal Study*, 74 CHILD. DEV. 3 (2003); A.J. Reynolds et al., *School-Based Early Intervention and Child Well-Being in the Chicago Longitudinal Study*, 82 CHILD WELFARE 633 (2003).

n14 See *id.*

n15 See *id.*

n16 See FIGHT CRIME: INVEST IN KIDS, NEW HOPE FOR PREVENTING CHILD ABUSE AND NEGLECT 14 (2003) ("The parents have their own teachers and classrooms. The program also conducts home visits and offers many opportunities for parents to join in field trips or other activities with their children. All of this is aimed at helping parents to learn and practice better child-raising skills and to get them actively involved in their children's education."). See generally JANET M. CURRIE, *THE INVISIBLE SAFETY NET* (2006) (describing the importance of such programs and arguing that the support in-kind programs provide is even more important than cash welfare programs).

n17 See A.J. Reynolds & D.L. Robertson, *School-Based Early Intervention*, *supra* note 13, at 3.

n18 See *id.*

Despite the potential for prevention, however, the state has been slow to make the necessary investments. The failure fully to embrace a prevention-oriented approach to child welfare is the product of numerous forces, but one important barrier is the dominant conception of family autonomy. Legally and culturally, the United States venerates freedom from state intervention. Family autonomy as "freedom from" is the idea that families stand apart from the state and that the state may not intervene in the life of a family absent exigent circumstances, such as abuse and neglect. n19

n19 See Barbara Bennett Woodhouse, *Ecogenerism: An Environmentalist Approach to Protecting Endangered Children*, 12 VA. J. SOC. POL'Y & L. 409, 423 (2005) ("The intact and functioning family is proudly autonomous. Provision of services and support is the exception to the rule of autonomy, and generally must be tied to some finding or admission of family failure and dysfunction. . . . Thus, the model depends on parental fault as a predicate for state engagement in the life of a child.").

To be sure, family autonomy serves important interests. Family autonomy protects family integrity by ensuring that the state will not remove a child simply because the state believes another parent would provide a superior environment for the child. Additionally, family autonomy protects parental decision-making authority, thus promoting pluralism by ensuring a wide-range of values is cultivated in families. n20

n20 See Emily Buss, *Allocating Developmental Control Among Parent, Child and the State*, 2004 U. CHI. LEGAL F. 27, 27. This idea was part of the reasoning that led the Supreme Court in *Pierce v. Society of Sisters* to hold that a parent has a constitutionally protected right to select a school of her choice for her child and, therefore, is not required to send the child to public school. See 268 U.S. 510, 535 (1925) ("The fundamental theory of liberty upon which all governments in this Union repose excludes any general power of the state to standardize its children ... The child is not the mere creature of the state; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations.").

For families at risk of involvement in the child welfare system, however, the prevailing "freedom from" conception

of family autonomy jeopardizes both family integrity and parental decision-making authority by absolving the state of affirmative responsibility for the well-being of families. There is no role for the state until the family fails. And once the state does intervene, it largely supplants parental decision making.

To elaborate, the "freedom from" conception assumes that all families can and should operate without state support and that "dependency" is [*136] deviant. As I and others have explored at length, the belief that any family exists independent of the state is simply untrue. n21 The state both determines which groups of individuals constitute a family and supports families in essential ways. n22

n21 See Huntington, *Mutual Dependency*, *supra* note 1, at 1512-15.

n22 See *id.*

Families who are economically stable benefit from state rules governing marriage and divorce, inheritance rights, and parental authority vis-a-vis third parties, n23 as well as supports including public education and the availability of child-care tax credits. Low-income families also need the state, although their specific needs may differ, and may include such items as subsidized housing and child care.

n23 A major exception is for economically stable families with same-sex parents. In a majority of states, same-sex parents do not enjoy the same protections as opposite-sex married parents.

Despite this universal reliance on state support, the perception that some families are independent persists. This is due, at least in part, to the phenomenon of background and foreground noise. Some forms of state support, such as public education, are so familiar, they are not perceived as state support, but rather simply the state of the world--background noise. By contrast, a new form of state support--say, widely available subsidized child care--changes the status quo and thus is perceived as an aid to families. This support is foreground noise.

Drawing upon the misperception that some families operate independent of the state, the "freedom from" conception of family autonomy feeds the belief that the state need not assist families before the point of crisis. This has pernicious effects.

For low-income families, the "freedom from" conception of family autonomy means that the benefits of the conception--protection for family integrity and a diversity of decision making--are compromised. "Freedom from" means the state assumes no affirmative responsibility for a family until the family "fails." But without state support, a family is more likely to fail, increasing the possibility that the state will remove the children and place them in foster care, threatening both family integrity and parental decision-making authority.

To change the legal and cultural environment and allow a prevention-oriented approach to child welfare to flourish, we must reconfigure our dominant conception of family autonomy. To that end, I have proposed a revised understanding of the relationship between families and the state--that of mutual dependency.

Mutual dependency understands that all families need the state in many ways, including those outlined above. But just as families need the state, [*137] the state also needs families. The state has an interest in the existence of a citizenry capable of participating in a deliberative democracy. n24 Families play an important role in this "formative project," as Linda McClain terms it. n25 But some families need social and economic supports to function better and thus be able to undertake the formative project, ensuring as many individuals as possible are able to participate in our democratic society.

n24 See *Prince v. Massachusetts*, 321 U.S. 158, 168 (1944) ("A democratic society rests, for its continuance, upon the healthy, well-rounded growth of young people into full maturity as citizens, with all that

implies.").

n25 See LINDA C. MCCLAIN. THE PLACE OF FAMILIES: FOSTERING CAPACITY, EQUALITY, AND RESPONSIBILITY 3, 17 (2006) (describing the role of families "in the project of forming persons into capable, responsible, self-governing citizens" and arguing that such "[a] formative project aims at fostering persons' capacities for democratic . . . self-government"; "Democratic self-government connotes what democratic theorists refer to as 'deliberative democracy' and implicates a person's capacity to deliberate about his or her conception of justice").

Additionally, the state has an interest in families functioning well enough that they produce contributing members of society. Families play a key role here as well, given the overwhelming evidence that chronic poverty poses serious risks to the emotional, cognitive, and physical development of children, n26 regardless of whether the family is involved in the child welfare system. If the state provided appropriate social and economic supports, families likely would function better and thus be able to do the important work of raising children.

n26 See Huntington. *Mutual Dependency*, *supra* note 1, at 1518.

In these ways, mutual dependency frame acknowledges that all families need the state to some degree and that the state has a keen self-interest in meeting those needs. If we recognize this interdependence, a more accurate and productive understanding of the relationship between families and the state can begin to take root, creating an environment where the state can support families long before the moment of crisis, thus preventing as many cases of child abuse and neglect as possible.

With this frame firmly in place, it is time to return to the theme of this essay--missing parents. The "freedom from" conception of family autonomy fails to account for the complete needs of parents. Although parents do need protection for family integrity and decision making authority, parents also need support from the state, and indeed that support is crucial for protecting family integrity and parental decision-making authority.

The current child welfare system misses parents by assuming that parents can care for their families without state support. When parents fail to do so, the state takes over in a largely punitive, adversarial fashion. In so doing, the child welfare system is missing an important opportunity to prevent child abuse and neglect.

By working closely and collaboratively with parents, the state could both [*138] decrease child abuse and neglect and improve child well-being. Crucial to the mutual dependency approach to child welfare is the recognition that the state has a strong interest in the well-being of children, but it is difficult for the state to reach children, especially very young children, without engaging parents. Similarly, parents have a strong interest in the well-being of their children, but they may not be able to realize that interest without support from the state. In the mutual dependency approach, parents are the key actors in a system that truly serves the interests of children.

Parents are essential because very young children are predominantly with their families--not in schools or other public institutions--during the vitally important zero-to-three stage of development. To support very young children, the state could make direct investments in children, for example, through the provision of health care. But the point that is so often missed is that the state must also invest in children *indirectly* by attending to the needs of parents. To protect these children, the state should support parents, enabling them to care well for their children.

In providing this support, it is essential not to undermine family integrity and parental decision-making authority. For example, mutual dependency would not lower the standard for state intervention through the child welfare system. Rather, mutual dependency is the basis for an argument in favor of additional support of families, for example, through visiting nurse and early childhood education programs. Through less intrusive early intervention, the state would help obviate the need for later, more adversarial and far-reaching intervention.

Of course a family could always refuse the support, and the state could not necessarily require a family to, for example, receive a visiting nurse into the home. But by allowing an element of volition (and therefore not, say, condition the receipt of some other needed benefit, such as Medicaid, on the visit), the state has a better chance of establishing a supportive, non-adversarial relationship with a parent. Early support through voluntary programs helps create a fundamentally different relationship between parents and the state. n27

n27 This would help avoid the tension in the current child welfare system, with the child protective agencies acting both as investigators and sources of much-needed material support. *See* Dorothy E. Roberts, *Child Welfare's Paradox*, 49 *WM. & MARY L. REV.* 881, 886-88 (2007) (describing this "paradox").

This kind of support would help ensure the state does not supplant parental decision-making. Although not easy, it is possible to protect both the interest of parents in making decisions and the interest of the state in ensuring its support is used for the stated purpose. n28

n28 *See* Huntington, *Mutual Dependency*, *supra* note 1, at 1524-31 (discussing this balance).

[*139] In sum, the state can *react* to child abuse and neglect without addressing the needs of parents. Indeed, this is a fairly accurate description of our current approach. But to *prevent* child abuse and neglect, the state must engage with parents. The proposed mutual dependency model of family-state relations would go a long way toward recognizing the key role parents play in the well-being of children and the well-being of society.

III. Parents as Partners in Problem-Solving

Although it is not possible to prevent all instances of child abuse and neglect, it is possible to respond differently to the majority of cases in the system. There is a widespread misconception that the state intervenes in a family only when a parent severely abuses or neglects a child. In reality, only ten percent of all cases in the child welfare system warrant criminal charges. n29 By contrast, approximately fifty percent of all cases stem from poverty-related neglect, which typically involves substance abuse, inadequate housing, or inappropriate child-care arrangements. n30

n29 *See* JANE WALDFOGEL, *THE FUTURE OF CHILD PROTECTION: HOW TO BREAK THE CYCLE OF ABUSE AND NEGLECT* 124-25 (1998).

n30 *See id.* at 125; Huntington, *Rights Myopia*, *supra* note 1, at 666-67; *see also* WALDFOGEL, *supra* note 29, at 125 (noting that the remaining forty percent of cases fall somewhere in between, involving abuse or neglect that is not considered severe and does not require intervention by the criminal justice system but still rises above the level of poverty-related neglect). If the mutual dependency approach to child welfare is adopted, and thus many cases of child abuse and neglect are prevented, it may well be that the poverty-related category of cases substantially decreases. In such a fortuitous circumstance, the problem-solving model of child welfare described in this Part would be less relevant.

Without minimizing the real problems that flow from such issues, the question is how the state will address these issues. Federal law requires the state to make reasonable efforts to reunite a family in most circumstances, n31 therefore, the challenge is to make those efforts both meaningful and effective. Unlike most commentators, who favor an emphasis on parents' rights or children's rights. n32 I have argued that a myopic focus on rights risks obscuring the larger issues affecting families in the child welfare system, in turn doing a considerable disservice to both parents and children.

n31 *See* 42 *U.S.C.* §§ 671(a)(15)(B), 672(a)(1). There are some exceptions. *See id.* § 671(a)(15)(D)(i)-(iii) (providing for the immediate removal of a child if the parent has subjected the child to aggravating

circumstances, including abandonment, torture, chronic abuse, and sexual abuse; the parent has murdered another child; or the parent's rights have been involuntarily terminated with respect to another child).

n32 See Huntington, *Rights Myopia*, *supra* note 1, at 643-52.

The current rights-based model of child welfare is both practically and conceptually flawed. As implemented, the rights-based model of child welfare fails to protect against racially and politically driven decision-making, [*140] has not led to effective procedural safeguards and reliable court adjudications, and comes at a high cost to the well-being of children. n33

n33 See *id.* at 656-63.

The rights-based model is flawed conceptually because, like the system's orientation to prevention, it is based on the "freedom from" conception of autonomy. However, most parents in the child welfare system need tangible assistance rather than a simplistic notion of autonomy. n34 In this way, rights obscure the role of poverty in child abuse and particularly child neglect. Additionally, rights create a win/lose mentality that fuels the adversarial process and helps create an antagonistic relationship between parents and the state. This mindset is antithetical to the collaboration needed between parents and the state to address the difficult issues facing families. n35

n34 This is not an argument that the parents' rights doctrine should be abrogated. Rather, the point is that parents in the child welfare system need social and economic supports from the state so that they can enjoy the same autonomy in decision making afforded more economically stable parents.

n35 See Huntington, *Rights Myopia*, *supra* note 1, at 663-72.

In lieu of a rights-based model of child welfare, I have proposed a problem-solving model. n36 The problem-solving model would acknowledge a parent's need for assistance and would foster collaboration between the state and families. The basic interests underlying rights--that the state should not remove a child absent a showing of parental unfitness, and that children should be safe in their homes--are retained, but these interests are protected by focusing on the issues underlying the abuse and neglect.

n36 See *id.* at 672-95.

In the problem-solving model, the first step is to differentiate among cases. The problem-solving model is particularly apt for the fifty percent of cases that fall into the category of poverty-related neglect. The state could focus its limited investigative and adjudicative resources on the remaining cases, and in particular on the ten percent of egregious cases. This filtering would lead to a better allocation of the limited resources in the child welfare system.

Turning to the poverty-related neglect cases, the goal of the problem-solving model is to meet the needs of the child by, at least in part, supporting the parents. The model does not assume a conflict between parents' rights and children's rights. Instead, the model widens the lens to determine who has a role in creating the problem and who can help resolve it. In this way, the model moderates one of the conceptual shortcomings of rights--it does not generate an adversarial process and antagonistic relationships. To address the concern that the rights-based model privileges autonomy while undervaluing assistance, thus failing to account for the [*141] important role poverty plays in child abuse and neglect cases, the problem-solving model assumes that with adequate support, parents likely will be able to care for their children.

The assistive approach of the problem-solving model is more protective of parents than the rights-based model. Offering meaningful assistance to parents, such as job training, drug treatment, or subsidized housing, does far more to vindicate the parental rights recognized by the Supreme Court than a five-minute court hearing with overwhelmed

counsel that comes after children have been removed from the home.

This recognition of the need to assist parents better acknowledges the role of poverty and creates a more accurate framework for the issues facing families in the child welfare system. Changing the framework could help reorient society's views of abuse and neglect away from the idea that abuse and neglect are products of parental pathology. Instead, a new understanding would be based upon social responsibility, in which a larger group--both the immediate community and the state--claims responsibility for the broader circumstances that led to the abuse or neglect.

A number of processes could satisfy the problem-solving model, although one process in particular--family group conferencing--has proven particularly effective. n37 A form of restorative justice, family group conferencing is a legal process for resolving child welfare cases without relying on a family court judge as the decision maker. After a report of child abuse or neglect has been substantiated, the state convenes a conference with immediate and extended family members, and other important people in the child's life, such as teachers or religious leaders, to decide how to protect the child and support the parents. Professionals representing the state organize the meeting and share information, but only the family and community members devise the plan for protecting the child and addressing the issues facing the parents that led to the abuse and neglect. The participants of the family group conference and the state then work together to provide support to the family and also to ensure the child remains safe.

n37 For a lengthier description of family group conferencing and the initial research on its effectiveness, *see id.* at 673-87.

There are five animating principles in family group conferencing: First, children are raised best in their own families. Second, families have the primary responsibility for caring for their children, and these families should be supported, protected, and respected. Third, families are able to make reliable, safe decisions for their children, and families have strengths and are capable of changing the problems in their lives. Fourth, families are their own experts with knowledge and insight into which [*142] solutions will work best for them. Finally, to achieve family empowerment, families must have the freedom to make their own decisions and choices. n38

n38 Donald N. Duquette, *Non-adversarial Case Resolution*, in *CHILD WELFARE LAW AND PRACTICE: REPRESENTING CHILDREN, PARENTS, AND STATE AGENCIES IN ABUSE, NEGLECT, AND DEPENDENCY CASES* 354 (Marvin Ventrell & Donald N. Duquette eds., 2005).

Although there are a number of variants to the practice of family group conferencing, four hallmarks stand out (and reflect the principles set forth above). First, the process is intended to find and build on a family's strengths, rather than place blame. n39 One method for achieving this is to focus on the problem, rather than the person, and to concentrate on healing. n40 Although the current system is supposed to preserve families, in practice social workers often do not look for the strengths in a family and instead focus on the dysfunctional elements. n41 Thus, family group conferencing facilitates a strengths-based practice because it requires the family and community to look within to find solutions. n42 Second, the process respects and values important cultural practices of the relevant community. n43 Third, the process involves the extended family and community--those individuals with information to share, individuals who love the child, and individuals with a stake in the outcome are all included in the conference. n44 Finally, the process views the community as a resource for the family. n45

n39 *See* Linda Richardson, *Family Group Decision Making: Transforming the Child Welfare System by Empowering Families and Communities*, in *AM. HUMANE ASS'N, FAMILY GROUP DECISION MAKING ROUNDTABLE PROCEEDINGS* 39-40 (1999).

n40 *See* Kay Pranis, *Conferencing and the Community*, in *FAMILY GROUP CONFERENCING: NEW DIRECTIONS IN COMMUNITY-CENTERED CHILD AND FAMILY PRACTICE* 42-44 (Gale Burford &

Joe Hudson eds., 2000).

n41 *See, e.g.*, BAZELON CTR. FOR MENTAL HEALTH LAW, MAKING CHILD WELFARE WORK: HOW THE R.C. LAWSUIT FORGED NEW PARTNERSHIPS TO PROTECT CHILDREN AND SUSTAIN FAMILIES 5 (1998) (describing class action lawsuit in Alabama brought by biological parents and challenging that state's child welfare practices because the state did not do enough to help families); *see id.* at 51 (describing the consent decree in case, which required the state to provide services based on the strengths of children and parents). *See also id.* (noting that one of the major barriers to this change was overcoming the views of the social workers, who were used to perceiving deficits, not strengths, in biological families).

n42 *See* Robert Victor Wolf, *Promoting Permanency: Family Group Conferencing at the Manhattan Family Treatment Court*, 4 J. CENTER FOR FAMILIES, CHILD. & CTS. 133, 134 (2003).

n43 *See* Rupert Ross, *Searching for the Roots of Conferencing*, in FAMILY GROUP CONFERENCING, *supra* note 40, at 5.

n44 *See* Susan M. Chandler & Marilou Giovannucci, *Family Group Conferences: Transforming Traditional Child Welfare and Policy Practice*, 42 FAM. CT. REV. 216, 219 (2004).

n45 *See id.*

By focusing on underlying problems, family group conferencing both addresses the root causes of abuse and neglect and fosters collaboration [*143] between parents and the state. It is also a legal framework that draws on the "family systems" theory of treatment, which posits that the most effective intervention for a child occurs when the whole family is treated. n46

n46 Susan Brooks has described the five attributes of a legal framework that would reflect family systems theory: (1) identifying the members of the family system, (2) considering the mutual interests of all the members, (3) maintaining family ties and continuity, (4) emphasizing the present and future, rather than past misdeeds, and (5) focusing on a family's strengths. *See* Susan L. Brooks, *A Family Systems Paradigm for Legal Decision Making Affecting Child Custody*, 6 CORNELL J.L. & PUB. POL'Y 1, 14-20 (1996).

In short, children need a process that recognizes the complexity of family problems, the importance of original families, and the value of assistance in addressing underlying social and economic issues, while simultaneously ensuring the safety of the children. Family group conferencing, as a manifestation of the problem-solving model of child welfare, is one such process.

Returning again to the theme of missing parents, the problem-solving model is precisely the kind of attention parents in the child welfare system need, at least in the fifty percent of poverty-related neglect cases. Rather than the adversarial approach of the rights-based model of child welfare, with its ineffective attempts to address the issues underlying abuse and neglect, the problem-solving model places parents squarely in the center of the state's approach to child well-being.

The problem-solving model is built upon the understanding that helping parents will typically translate into helping children, so long as the assistance provided is meaningful and effective. A family group conference is an excellent means for doing so because it assumes that parents, and those around them, are experts in their own lives and thus are well-positioned to devise a solution for the problems facing a family. As one advocate of family group conferencing has explained:

[t]he relationships between all the parties, and out of which the problems have arisen, are so numerous and ever-changing, and so interconnected that it is folly to believe that *outsiders to those relationships*

could ever "know" them in a way that permits either accurate prediction or predictable intervention. The only ones who might have a chance at that are the parties themselves. For that reason it is *they* who must pool their perceptions of the relationships, of the problems arising within them, then search together for ways in which each of them, according to their own skills and inclinations, can make different and better contributions. n47

n47 Ross, *supra* note 43, at 13.

In the problem-solving model, the parent is not a passive recipient of state aid, nor is she a "bad" parent who must prove to the state that she has rehabilitated herself. Instead, the parent, surely a part of the problem, is also an essential part of the solution. This approach to child welfare--focusing [*144] on problems, viewing parents as key actors and agents of change, and understanding that the state and community have an important role to play in supporting a family--would lead to far better outcomes for everyone involved.

IV. Conclusion

To ensure the well-being of children, the child welfare system needs to focus on parents in a different manner than it currently does. The state should engage with parents long before a crisis by providing the kind of support that will best prevent child abuse and neglect. In this effort, the state largely cannot help children without working through parents, and thus must view parents as essential partners. For cases of abuse and neglect that do occur, and particularly for the fifty percent of cases that involve poverty-related neglect, the state will better protect children by engaging with parents. By viewing parents as resources and necessary collaborators, the state can work with a family to address the issues underlying the abuse and neglect.

A re-imagined child welfare system would be framed by an understanding of the mutual dependency of families. This would help create the legal and cultural environment where a prevention-oriented approach to child well-being could take root. For cases of child abuse and neglect that do occur, the re-imagined system would work to solve the problems underlying the abuse. In both endeavors, parents are essential partners and are missing no longer.

THE DETROIT CENTER FOR FAMILY ADVOCACY

EXAMPLES OF OUR WORK

The Detroit Center for Family Advocacy, an initiative of the Child Advocacy Law Clinic at the University of Michigan Law School, opened in July 2009. The Center provides legal and social work advocacy to parents and extended family members to reduce the need for children to enter or remain in foster care. Below are some examples of our early work.

- The client discovered the CFA via the internet and sent CFA staff an email with an urgent request to “PLEASE HELP ...!” She and her husband had been diligently pursuing the placement from foster care of a 17-year-old boy into their home after the sudden death of the boy’s foster mother, but had become desperate and discouraged. The client and her family had grown to know and love this boy through her friendship with the boy’s long-time foster mother. After the foster mother’s death, the boy bounced around from placement to placement and suffered mistreatment everywhere he went. When our client saw what was happening to him she immediately requested custody of the child, but despite several months of waiting and compliance with all of the stated requirements of the private child-placing agency supervising the case, the agency refused to place the boy in our client’s home. Instead, he languished needlessly in a residential facility, which only agreed to accept him on a temporary basis. Mere days after the CFA accepted the case, the residential facility issued a demand for the boy’s removal within 30 days. The client’s and the boy’s hopes were dashed when a previously scheduled hearing in juvenile court was abruptly rescheduled. Undeterred, a CFA attorney and social worker aggressively advocated for the boy’s immediate placement in the client’s home. They approached the DHS official supervising the case, the Assistant Attorney General representing the DHS, and the Lawyer-Guardian Ad Litem. Previous to this advocacy, the client’s voice had never been heard. The very next day, the DHS supervisor authorized the boy’s placement with the client and her husband, where the boy spent Christmas a joyful Christmas. Later that day, the client expressed over the telephone to the CFA attorney, through tears of joy, “I thank God for you!”
- When an unresolved landlord-tenant dispute threatened to make a 26-year-old single mother and her seven children homeless, she was referred to the Center for Family Advocacy. At the time of the referral by the Department of Human Services, our client was living in a relative’s cramped one-bedroom apartment with all seven of her children and three other adults because her landlord refused to make necessary repairs to her rented home. The DHS also had serious concerns regarding the supervision of the children in the care of our client, who was simply overwhelmed. The referring DHS worker wanted to keep the family together, but could not wait much longer for our client’s situation to improve. In order to prevent the foster care placement of her children, our client needed to quickly secure suitable housing and assure the DHS worker that she could properly supervise all of her children. With the assistance of CFA’s staff, the client and her family quickly relocated into a three-story, five-bedroom home located in a beautiful neighborhood on Detroit’s west side. The CFA social worker and parent advocate worked tirelessly to equip the client with the parenting skills she needs to safeguard her children, while the CFA attorney pursued the client’s legal remedies against the landlord. The CFA’s zealous legal, social work and parent advocacy on behalf of the client resulted in the DHS closing its child protective case. None of the children entered foster care.

- The DHS referred the client and her five children to the CFA to resolve a landlord-tenant dispute that jeopardized the family's housing, and placed the children at risk of entering foster care. The DHS had also been receiving reports that the client was not properly attending to her 11-year-old son's mental health needs. He had been hospitalized for severe emotional and behavioral problems approximately eight times at various local institutions over the year and a half preceding the referral to the CFA. The CFA staff sprang into action. A CFA attorney successfully negotiated a settlement of the landlord-tenant dispute, which enabled the client to save the necessary money to obtain alternative housing for the family. Intensive social work and parent advocacy equipped the client to harness the resources to properly care for her son and other children, and all the children remain in the client's care. When closing the case, the DHS worker remarked, "You saved this family!"
- A Juvenile Court Judge referred clients to the CFA for assistance in expediting the clients' adoption of their four-year-old granddaughter, a process that had delayed achievement of permanency for the child for over a year. The initial referral reported that the clients had refused to comply with repeated requests from the adoption agency for necessary documentation. After a careful independent investigation and review, a CFA staff attorney discovered that the clients were having difficulty obtaining old marriage and divorce records, which included an out-of-state marriage certificate. The clients were also having trouble paying for their own physicals because they lacked health insurance. This clear understanding of the challenges that confronted the clients enabled the attorney to zealously advocate on their behalf with the adoption agency, which included a request for financial assistance to help the clients obtain the required physicals. That same day, the agency agreed to pay for the examinations. The attorney also quickly located resources to assist the clients to obtain the out-of-state records. The adoption is back on track and its finalization is expected soon.
- The client came to the attention of the DHS because the client was in an abusive relationship with the father of three of her children. The domestic violence in the home put the children at risk of foster care placement. A CFA staff attorney counseled the client about how to limit the batterer's contact with the children. The attorney then filed a motion in family court to modify the father's parenting time and mandate that all visits be supervised. Both requests were granted by the court. The CFA's social worker and parent advocate also helped the client strengthen her family. After CFA supportive services and community referrals, the client obtained a GED, and she and her children participated in family counseling services. As a result of the CFA involvement, the client's children were not removed from the home and the DHS confidently closed the family's case.
- The client was referred to the CFA when the client's ex-husband severely physically abused their son. The DHS indicated that the child would be placed in foster care unless the abusive father was legally restricted from having access to the child. CFA attorneys successfully petitioned the court to suspend the father's parenting time thereby preventing the need for the boy to enter foster care.

For more information about the Center, visit our website at
<http://www.law.umich.edu/centersandprograms/ccl/cfa/Pages/default.aspx>