



MICHIGAN COURTS NEWS RELEASE

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FOR IMMEDIATE RELEASE

Federal Funding Available for Legal Representation in Child Protective Proceedings

LANSING, MI, September 5, 2019 – The Michigan Supreme Court has announced that the Michigan Department of Health and Human Services (MDHHS) is inviting each circuit court to apply for a federal grant that will allow the department to allocate administrative dollars to support high-quality legal representation in child protective proceedings. Research shows that high quality legal representation helps children find permanency and reduces time in foster care.

“This funding is a major step forward for families and will help prevent the unnecessary removal of children from their homes,” explained Justice Elizabeth Clement. “Families in crisis are sometimes overwhelmed by complicated court processes, and legal representation is a critical lifeline that can help speed permanency and reduce time in foster care.”

“This policy change to fund legal representation will help children and parents alike,” said Justice Megan Cavanagh. “None of this would be possible without the visionary leadership of Children’s Services Agency Executive Director JooYeun Chang at the Michigan Department of Health and Human Services. She deserves a big thank-you for making this happen.”

“Research makes clear that quality legal representation in child-welfare-involved cases results in improved safety and permanency outcomes for children and families and can result in cost savings to the state,” Chang said. “We are pleased to partner with the courts and counties to ensure that newly available federal resources are used to create and sustain high-quality legal representation for children and their parents.”

The federal Children’s Bureau has amended their Child Welfare Policy Manual to explicitly allow title IV-E funding reimbursement to states at the rate of 50% for services provided by attorneys representing families in foster care related legal proceedings. States may claim title IV-E administrative costs of legal representation by an attorney for a child and/or a parent of a child who is placed in foster care to participate in all stages of the proceeding. Previously, only the state title IV-E agency’s (MDHHS in Michigan) attorney costs were eligible for reimbursement.

Following the announcement, the Supreme Court is urging family courts to apply for the funding. “Family courts all across Michigan should immediately take the necessary steps to apply for this critical funding,” said Justice Clement. “Making sure each child has a permanent, safe, and loving home must be the top priority of courts and child welfare agencies.”

National studies have demonstrated that the availability of high quality legal counsel increases party perceptions of fairness, strengthens party engagement in case planning and hearings, and increases visits and parenting time. By expediting permanency and reducing the amount of time spent in foster care, costs for state and county governments are also reduced.

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