Quality Improvement Center on the Representation of Children in the Child Welfare System

Needs Assessment
Conclusions

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QIC
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CONCLUSIONS

During the first year Needs Assessment, the *QIC-Child Rep* team talked to judges, attorneys, caseworkers, CASAs, state regional office directors, tribes, and children themselves. Given the varied viewpoints, as well as the geographic and population diversity, it is striking that the participants raised similar issues and concerns. In addition to the concerns, a shared positive vision also came to light, an idealized view of practice that includes highly skilled, well qualified, well informed attorneys, held accountable to a high standard that includes engaged client interaction and a problem solving ethic. They named system supports that they believe tie proposed standards to active implementation. The following picture emerged:

- **Attorneys must develop a bond with their client.** Attorneys should be actively engaged with their clients in order to understand their needs and advocate effectively. Attorneys must engage with children more by having frequent and more meaningful contact. Attorneys should understand the child's living situation, school, and home life.

- **Effective representation includes a thorough investigation in order to develop a clear theory of the case and effectively advocate in court.** Attorneys must gain a thorough understanding of their cases in order to develop effective strategies and advocate zealously for their clients.

- **Attorneys effectively solve problems for their clients by engaging in active out-of-court advocacy.** Negotiating solutions and settlements is an important function of the attorney role. By actively seeking solutions on behalf of the child, attorneys can resolve problems quickly and cooperatively.

- **Attorneys should take a holistic view of the child's needs.** A child in the dependency system often has needs that cannot be met by the dependency system alone. Often, an attorney must monitor a vast array of services, as well as coordinate other legal issues, such as financial assistance, or educational programs.

- **Practice in this area requires comprehensive training which includes child and family issues.** Attorneys need to understand child and family issues, as well as agency policies and procedures. They should also have solid courtroom skill and grounding in children's law. Current training of attorneys is ad hoc, lacking a standard curriculum or protocol.

- **Attorneys must meet initial and ongoing qualification standards.** Children's law is a highly specialized and complex area of law. Attorneys should meet basic qualifications in order to practice in this area, and should have to meet ongoing requirements, which are monitored and overseen.

- **Supports help attorneys accomplish the multiple tasks which allow them to be successful advocates.** Attorneys need supports in order to accomplish all the duties with which they are tasked. Some supports reported to make a difference include administrative help, investigators, social workers, and strong supervision.

- **Caseloads must be reasonable in order for attorneys to accomplish the essential duties of their jobs.** Quality practice requires that the system support adequate time and resources for attorneys.

Knowledge Development—Areas for Further Study
Our discussions raised themes which recurred and resonated throughout the conversations and identified deficiencies in current practice. The QIC-CR also identified promising practices and approaches. Guided by the following, the field would benefit from rigorous study and evaluation to further define promising approaches and measure their effectiveness:

- **Would a credentialing process with a strong standardized training component lead to better and less varied practice?** Attorneys currently receive training, but there is no standard curriculum. Stakeholders did not describe many requirements related to training or qualification. Yet, states are making efforts to provide training, though those efforts are ad hoc and not tested or evaluated. It would benefit states to understand what effect training and credentialing has on specific outcomes.

- **What types of oversight and monitoring lead to better practice outcomes?** Various types of supervision and oversight were reported: clinical supervision case oversight and reporting requirements. The differences among these have not been studied in terms of increasing attorney knowledge, performance or motivation.

- **What supports are most effective in helping attorneys meet the requirements of their jobs?** Attorneys are most often teamed with other supports, such as social workers or CASAs. Studies have showed some positive results for this approach, but have not answered questions about specific duties that influence case outcomes. Nor have differences in teamed approaches been studied, in terms of expertise or level of participation. Some supports may be categorized as addressing "manpower issues," i.e., performing tasks which the attorney does not have the time to perform, while other supports are more targeted, providing a particular expertise.

- **What is it about the child's interaction with the attorney that allows the attorney to be more effective in handling the case?** Consistently across our analysis we discovered a focus on quality interaction with the child, yet the concept remains ill defined. An analysis of quality interaction would assist providers in developing standards around contact with children.

- **Moving forward.** Measuring quality and effectiveness of interventions will help focus the field on targeted, evidence based methods that will help close the gaps between standards and practice, and move the field forward. The *QIC-Child Rep* Research and Demonstration projects will bring an informed analysis to the body of knowledge and form the basis for expanded dialogue, and continued improvements in child representation.