



How is legal awareness critical to the continuum of legal advocacy?

All families deserve equitable access to essential resources and supports that allow them to thrive.¹ Yet the legal system is complex and challenging to navigate, often making it difficult to access resources, and understand legal rights and how to assert them. For example, a parent may be concerned about unsafe housing conditions, eviction threats from a landlord, or abuse by a partner, but see these as personal or social problems and not seek legal help.

Raising awareness about legal rights can empower families to seek and secure resources and identify legal services when needed. Early legal advocacy that is offered at an initial crisis point can increase family health and well-being, and address issues that, if left unresolved, can lead to child protective intervention. Many families in the United States experience non-criminal or civil legal issues at some point in time. A [national study](#) found that 71% of all families from low-income households experienced at least one civil legal issue that would benefit from representation, 54% experienced at least two, and 24% experienced six or more. Yet only 20% sought professional legal help for these issues. The top three reasons for not seeking professional legal help included: making the decision to deal with the problem alone; not knowing what resources exist and where to look for them; and uncertainty about whether the issue is one that could benefit from legal support.

Additional studies show that for those experiencing domestic violence or sexual assault, the numbers can be far worse. In Washington State, survivors of domestic violence or sexual assault report [twice as many legal issues per household per year](#) than people from other low-income households. When these civil matters escalate to a court dispute, an [estimated 3 out of 5 people](#) go to court without a lawyer or any legal support at all.

Unnecessary family separation and child welfare involvement can result when parents are unable to get civil legal assistance to resolve or address homelessness, domestic violence, or children's disabilities and/or medical issues.

How is legal awareness critical to the continuum of legal advocacy?

Direct, culturally competent outreach to families is central to creating a system of equitable access to justice, and can be accomplished by:

- Establishing partnerships and shared responsibility across all sectors of society to promote legal awareness, including creating relationships between local legal aid programs, court-based self-help centers, state bar access to justice commissions, and child protective services.
- Conducting joint trainings so child protective services workers know how to identify legal problems and make referrals to legal aid services, and so that legal aid staff understand how legal advocacy may effectively prevent the trauma of child welfare involvement.
- Ensuring families have the opportunity to know their rights – including their specific rights in the context of child protection and child welfare proceedings – by making sure legal information, referrals, and online tools are available in places that families frequent.
- Prioritizing the creation of legal information and resources that are culturally competent and available in the languages spoken by members of the community. Language assistance is a basic civil right and [Title VI of the Civil Rights Act of 1964](#) requires any agency receiving state or federal funds to provide individuals

with [free access to accurate, timely, and effective communication](#), as outlined in the [Title VI child welfare guidance](#) released in 2016.

- Creating an inventory of online legal information and tools to ensure child protection and social service providers know how to find them.
- Promoting transparency and accountability from public agencies and organizations by encouraging open dialogue between community leaders and service providers about ways to raise awareness about civil legal problems, including how to address them and what resources need to be developed.

While the mechanisms for obtaining legal information may vary by state, several resources exist to connect individuals to legal resources, including:

- [LawHelp.org](#) to provide state-specific resources that connect parents to information about their rights, and [online tools](#) that enable them to complete court forms on their own.
- [Self-help centers](#) in courts where lawyers and trained staff can help parents prepare for a court appearance, identify which forms are needed and how to complete them, and navigate the court process, as well as [legal aid nonprofit programs](#) that provide free legal help in every county in the United States.

1 Content of this brief was informed by consultation with members of the KM Lived Experience Advisory Team on 5/11/21 and 5/25/21. This team includes youth, parents, kinship caregivers, and foster parents with lived experience of the child welfare system who serve as strategic partners with [Family Voices United](#), a collaboration between FosterClub, Generations United, the Children's Trust Fund Alliance, and Casey Family Programs. Members who contributed to this brief include Keith Lowhorne, Marquetta King, Roberto Partida, and Aliyah Zeien.

This brief was developed by the National Preventive Legal Advocacy Partnership (NPLAP) – a multidisciplinary group of experts in child welfare practice, access to justice, and the legal system – convened by Casey Family Programs. The goal of the NPLAP is improving preventive legal advocacy efforts and contributing to an overall population-based, public health approach to community well-being. Visit [Preventive Legal Advocacy](#) for additional resources and information.

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