



STRATEGY BRIEF

TRANSFORMING CHILD WELFARE SYSTEMS

What are community-based, multidisciplinary preventive legal advocacy programs?

In 2020, three of every four children that the child protection system deemed victims of child maltreatment fell into the category of neglect, not abuse. The system, however, is often not effective at distinguishing between **intentional neglect** (such as abandonment or refusal to seek medical treatment) and **neglect from inequitable community conditions** (such as a lack of access to adequate food, housing, child care, and other material resources). In the U.S., families from low-income households average at least one civil legal need¹ each year, potentially putting them at risk for unwarranted referral to the child protection system — and the family surveillance, separation, and related traumas that can follow.²

[Preventive legal advocacy](#) (PLA) is one type of upstream support that helps families avoid needless involvement with the child welfare system. PLA connects families to legal aid that can address equitable access to the [social determinants of health](#),^{3,4} which for many children and families is a more appropriate first intervention.

PLA bridges an important gap in identifying and subsequently providing support for families experiencing challenges such as unsafe housing, protection from domestic violence, or income instability — all conditions that potentially can harm health, disrupt educational progress, and endanger families. These family challenges often are beyond the capacity of child protective service investigators, medical professionals, or educators to address themselves and instead require collaboration



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with those working in legal advocacy. As such, mandatory reporters who often make [referrals to child protection for poverty-related concerns](#) — including doctors, therapists, and teachers — need to be made aware of PLA as an alternative intervention.⁵

Far too many families lack adequate income, housing, or education because of systemic inequities that have left opportunities scarce in certain communities, particularly communities of color. [Emerging evidence](#) suggests PLA programs help mitigate or eliminate many conditions that bring families to the attention of child welfare, including housing instability, education instability, interpersonal violence, and immigration issues, and [unhealthy environmental conditions at home](#). As a prevention strategy, PLA incorporates family voice. Attorneys maintain strict confidentiality with their clients and ethically are required to advance their clients' stated goals.

Child welfare and judicial leaders can help support the development of PLA programs by reaching out to legal aid organizations and their medical and education partners. Their conversations can revolve around which communities would benefit most from PLA, what resources would best support PLA initiatives, and how evaluations of PLA could help the child welfare community to better understand the relationship between legal advocacy and improved outcomes for families.

This brief explores three different types of PLA models — school-legal partnerships, pediatric medical-legal partnerships, and community-based support and advocacy — to highlight key elements, challenges, and sustainability issues.

PLA models

School-legal partnership

Launched in 2018, the Moran Center for Youth Advocacy's [School-Based Civil Legal Clinic](#) (SBCLC), which serves the Evanston/Skokie school district in Illinois, provides free civil legal advice and representation to families that meet eligibility requirements and seek legal aid to help their school-age children remain in school and succeed. All clients have access to social

workers and wraparound services for families in crisis, including anger management and counseling. Most referrals come from school social workers, although anyone can refer a family to the program.

Established in 2016, the [Standing with Our Neighbors](#) (SWON) program of the Atlanta Volunteer Lawyers Foundation is a school-based civil legal aid initiative designed to minimize school disruptions for students by ensuring they and their families have access to safe and stable housing. The SWON strategy is four-pronged:

- 1. Get into the community.** SWON is currently in nine schools, and each multidisciplinary school-staffing model pairs an attorney with at least one community advocate.
- 2. Develop relationships.** The community advocate prioritizes engagement of families by attending school events and making home visits, and being fully present in the community.
- 3. Meet the needs expressed by the family.** With a goal to provide holistic support to families, SWON offers legal advocacy for housing and domestic violence issues, and often provides immediate stabilizing support.
- 4. Learn from the community.** SWON has developed resources to anticipate the needs of families, such as making hotel vouchers, dehumidifiers, or short-term cash assistance available to families. These important resources can stabilize a family's housing situation early while larger legal issues are addressed.⁶

Both SWON and SBCLC hand off cases to pro bono partners when more specialized legal expertise is required. Most of the SWON schools have been “adopted” by law firms as part of the firms' commitment to corporate social responsibility and pro bono volunteerism.

Medical-legal partnership

The Children's Law Center's [Healthy Together Medical-Legal Partnership](#) (Healthy Together) program, which started in 2002 in Washington, D.C., and the [Carolina Health Advocacy Medicolegal Partnership](#) (CHAMPS), which was created in 2017 in South

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Carolina, are examples of PLA programs working to address upstream “health-harming legal needs” as part of a pediatric medical team. The philosophy is similar to that of PLA programs in the school setting: in partnership with medical providers and lawyers, resolving health-harming legal needs for the parent/caregiver will lead to the improved health and well-being of children. The multidisciplinary approach integrates medicine, social work, and legal advocacy to promote the well-being of children and families by addressing the social determinants of health, incorporating lawyers as part of a family’s healthcare team.

The programs are designed to address a wide array of legal needs for families, including housing, special education, public benefits, and protection from domestic violence. Like the school legal partnerships, handoffs to pro bono partners and providing holistic support to families are integral elements to these programs.

Community-based support and advocacy

[Ayuda Legal Puerto Rico](#), launched in 2015, is not site-specific, but works to advocate against systemic inequities at the broader community level, while still working directly with individuals and families. It also promotes legal education and legal support for people from low-income communities. The organization views prevention as a key part of its advocacy strategy and works to anticipate and resolve legal conflicts prior to court involvement, teaching community members how to navigate systems themselves to prevent both current and emerging/future legal issues. Four core elements anchor the community-based approach: legal empowerment (which includes advocating for public policy and equitable access to justice), disaster recovery, tenants’ rights, and foreclosure avoidance.

Core elements

The evidence base for PLA is still being developed, but early experience across these five programs reveals **three key elements** for others to consider when creating and sustaining their programs of their own:

- * Legal awareness and representation

- * Multidisciplinary partnerships
- * Measuring impact and sustaining funding

Legal awareness and representation

[Legal awareness](#) and legal representation — and the underlying trust essential to both — are fundamental components of PLA. All families deserve equitable access to essential resources and supports that allow them to thrive, and members of a multidisciplinary team can help identify issues that, if addressed early, could prevent future harm or trauma to a family. By embedding itself on site at schools, **SWON**’s referrals come from school staff, families, and community members, and are facilitated by the program being onsite with a multidisciplinary team and through the work of a full-time community advocate paired with an attorney in each school. Legal representation is a core element of the model. The community advocate aims to establish trusting relationships between the lawyer, the community advocate, and Atlanta families. Similarly, **SBCLC** and the services it offers are well known to system partners and local families in Evanston and Skokie, given its accessibility within school settings.

CHAMPS works closely with hospitals and with the University of South Carolina to train legal, medical, and social work graduate students to screen families for potential upstream legal issues and to provide clinical experience to the students. Once medical staff and students are trained to identify legal issues, referrals then are generated from the hospital, outpatient clinic, or other medical office. Similarly, **Children’s Law Center** receives referrals through medical partners where attorneys are onsite and integrated into the health care teams. The streamlined referral process is part of a “one door” approach that screens citywide for social services and legal needs, with referrals able to come electronically, directly from a medical chart. Staffed by attorneys and non-legal investigators responsible for providing advocacy and litigation support. In addition, Children’s Law Center also employs a family outreach worker with deep expertise in connecting with families and others across the community, and who has experience receiving similar legal supports in the past who can provide targeted support to client families.

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Ayuda Legal's staffing structure includes 10 full time staff and between five and seven consultants. Instead of connecting to families through a school or medical setting, Ayuda Legal makes contact through its website. While most referrals pertain to housing needs, visitors to the website are able to see that additional legal services are available, such as obtaining restraining orders or immigration advocacy.

Multidisciplinary partnerships

To form a well-functioning multidisciplinary team, cultivating and solidifying institutional partnerships are key. As a school-based multidisciplinary team, **SWON** established connections with key education partners like the Atlanta Public Schools and the advocacy organization [Purpose Built Schools Atlanta](#), as well as with mental health providers in schools, local churches, the YMCA and after-school programs, law schools and law firms, and community health clinics. In addition, SWON's holistic approach that anticipates common issues that serve as barriers for families has led to other partnerships, such as The Furniture Bank, which donates furniture to families; Helping Mamas, which provides diapers and other basic necessities; the Georgia Justice Project, which can facilitate the expunging of criminal records; and a professional mold testing company, which can test for environmental safety in family homes.vii

In the **SBCLC's** multidisciplinary approach, partnerships between social workers and volunteer attorneys help address varied, complex issues that can negatively impact a child's ability to stay in school. During the pandemic, access to unemployment benefits was critical for many families, but often riddled with confusing requirements, quick denials, and an overwhelming appellate process. This is one example of an area where a volunteer attorney with specialized expertise was able to help families navigate a civil legal need, obtain necessary financial assistance, and contribute to family stabilization and health.

PLA programs based in medical settings also benefit from having an effective multidisciplinary team. The **Healthy Together** program established strong partnerships with area healthcare providers, including Children's National Hospital, Mary's Center, and Unity

A CLOSER LOOK AT STAFFING

The staffing structure for the SBCLC includes one full time attorney (with 5 full time attorneys at the Moran Center who will take referrals in specific areas of expertise) and programmatic staff, plus 3 full time social workers that support all cases at the Moran Center. The training for current and new volunteers is divided into three general subject matter areas: Landlord/Tenant Disputes, Family Law, and Unemployment Benefits. This tends to encompass housing issues, custody, guardianship, adoption, child support, visitation, name changes, bankruptcy, expungement of records, and other general civil legal matters. When SBCLC receives information about a family with immigration issues, it will refer the family to a pro bono partner to handle.

Health Care. But in order to screen and address health-harming legal needs effectively, partnerships outside of a medical office or hospital were needed. One such partnership is with AmeriHealth Caritas DC, a local insurance provider, which has broadened the sector base from where referrals come. The partnership also helps program officials compute the cost savings of a legal intervention in cases where housing advocacy is needed to address asthma in children. The Children's Law Center, which operates Healthy Together, also has partnered with other organizations to advocate for healthier housing to eliminate indoor mold and lead paint, both of which can lead to children's long-term health problems. This collaborative advocacy work led to the establishment of a new agency in Washington, D.C., government, the Department of Buildings, to focus on enforcing housing codes and remedying violations before they cause harm. These collaborative relationships not only facilitate identification of families in need of legal support, but they also can strengthen the very systems in place to address unmet legal needs before they fester and grow into health-harming issues and/or adverse childhood experiences.

Even though one issue reaching a crisis point may lead to the initial website search and contact, the holistic legal advocacy approach of **Ayuda Legal** connects

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the various issues a family may be facing, offering triage and the support of a peer with lived experience of housing eviction, domestic violence, or other legal challenges.

Measuring impact and sustaining funding

While PLA programs have an emerging record of success, obtaining continued funding is the greatest challenge to program sustainability. [Demonstrable cost savings](#) is one way to lay a foundation for continued funding, while some programs have created a funding stream within the setup of the multidisciplinary partnerships.

SWON uses data to track the program's ability to improve housing stability for families, which can lead to improvements in student performance, retention, and attendance. The data showed a complete elimination of eviction filings over two years in the school district where the program was initially launched, which resulted in increased school retention and stability. These positive outcomes, along with cultivating support from institutional partners, have helped SWON obtain funding to expand to other school districts in Atlanta. Supported originally through a grant from a single charitable foundation, SWON has since grown its operations to nine schools through new foundation support. Law firms provide legal support to the families at each school, and the relationships between the schools and the firms raise awareness about the negative impact of unmet legal issues on students' success in school.

The **SBCLC** is funded through various grants and private donations. It also is supported by approximately 40 volunteer attorneys who are trained and connected through partnerships with local law firms and solo practitioners.

CHAMPS collected data through an outside evaluation that found improved health benefits for clients, resulting in cost savings for the hospitals. These savings in turn are being leveraged to cover the cost of a staff attorney. CHAMPS has incorporated a sustainable funding stream through its partnership with University of South Carolina Law School, which offers the CHAMPS as clinical coursework for law, social work, and medical

CREATING A "PAY FOR SUCCESS" MODEL

Children's Law Center (CLC) collected data on children and families that received legal interventions to resolve unhealthy environmental housing conditions related to asthma. The data showed that when the Healthy Together medical-legal partnership successfully intervened, government-funded healthcare costs were reduced by \$10,000 per family on average during the first 18 months. CLC entered into a cost sharing agreement AmeriHealth Caritas DC, an insurance company, whereby any instance in which Children's Law Center represents a child covered through AmeriHealth insurance, AmeriHealth will pay CLC about half of what it averages on cost avoidance. This type of arrangement is a model for the sustainability of funding with health providers, and this outcome-based data also serves to encourage additional funding streams through evidence of success.

students. The clinical work is supplemented by seminar instruction at the law school. This approach supports sustainable funding for the CHAMPS clinic and also serves as an investment in the future of PLA by training emerging professionals to approach their practice with a multidisciplinary lens and consider a holistic approach to legal advocacy and its impact on child and family well-being.

Text Box Children's Law Center's **Healthy Together** program originally was funded through a donation from a philanthropist, and now is funded through a group of local and regional foundations. In addition, Children's Law Center used its own research on the medical-legal partnership's cost savings for the healthcare system to secure funding through a "pay for success" model with its insurance industry partner, AmeriHealth Caritas DC. (For more information on this innovative model, read the accompanying text box.)

Ayuda Legal has evolved from a project to a 501(c)(3) nonprofit with a commitment to operating without government funding. The nonprofit utilized some seed funding to develop trusting, long-term relationships

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with foundations, and a small base of individual donors. As advocacy and empowerment are central to the mission of Ayuda Legal, a decision was made not to accept federal or government monies to keep the work independent and devoid of any limitations or restrictions imposed by traditional government contracts.

Looking ahead

PLA provides an important opportunity to engage and support families comprehensively, and before

circumstances and consequences worsen. While PLA programs have demonstrated successes in mitigating or resolving legal issues that serve as a detriment to child and family health, additional research is needed to better understand PLA's relationship to — and impact on — the child welfare system. Evaluations that include a more thorough assessment of this relationship are underway for SWON and CHAMPS, each with different methods and levers of rigor.

To learn more, visit [Questions from the field](#) at [Casey.org](#).

- 1 Civil legal needs include disputes between individuals or businesses that impact a person's property, benefits, or legal rights. Civil legal issues do not include criminal charges or prosecution.
- 2 Sankaran, V. (2014). "Using Preventive Legal Advocacy to Keep Children from Entering Foster Care." *William Mitchell Law Review* 40(3), 1036-47.
- 3 This brief is based on interviews with Tracy Goodman, Director, Healthy Together, Children's Law Center, on April 20, 2021 and December 9, 2021; Maria Jimenez, Directora, Clinica de Asistencia Legal, and Ariadna Michelle Godreau Aubert, Founder and Executive Director, Ayuda Legal Puerto Rico on January 31, 2022; Emily Suski, Director, Carolina Health Advocacy Medicolegal Partnership, on March 11, 2021; and Ayanna Jones-Lightsy, Attorney and Co-director, Safe and Stable Homes Project., and Michael Lucas, Deputy Director, Standing with Our Neighbors, Atlanta Volunteers Lawyers Foundation, on March 17, 2021; and Megan McClung, Managing Attorney, and Tom Verdun, Director of Legal Services, School-Based Civil Legal Clinic, Moran Center for Youth Advocacy, on April 1, 2021.
- 4 Content of this brief was informed by consultation with members of the Knowledge Management Lived Experience Advisory Team on April 15 and April 25, 2022. 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: Robyn Robbins, Sonya Begay, and Shana King.
- 5 Fong, Kelley. (2017). "Child Welfare Involvement and Contexts of Poverty: The Role of Parental Adversities, Social Networks, and Social Services." *Children and Youth Services Review* 72: 5-13.
- 6 A recent evaluation of Standing with Our Neighbors demonstrates that the program successfully eliminated all eviction filings for program-involved families, the number of filings decreasing from 70 to 0 in one year.
- 7 Standing with Our Neighbors described the partnership with the Mold Testing Company as a "game changer," as mold testing — offered at a discounted rate — was a common legal advocacy need for families and directly connected to housing issues and health issues for children.

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