

ADVOCATING FOR VERY YOUNG CHILDREN IN  
DEPENDENCY PROCEEDINGS:  
The Hallmarks of Effective, Ethical Representation

**THEORY TO PRACTICE SCENARIOS & INSTRUCTIONS**

**THEORY TO PRACTICE #1: Child-Centered Advocacy**

**Format: Small Groups (5 groups of 4-5 people)**

You represent Molly and are going for your initial home visit (required within 2 weeks of appointment). You know only what is in the petition for protective custody. When you arrive at the house, Jane, Tara's foster mother, opens the door and greets you warmly. Tara, the young mother, is in the kitchen and does not come to greet you. Ten month-old Molly is laying in a playpen playing with a rattle. She seems really small for her age and the rattle keeps falling from her hand. You stand over her playpen to say hello and she starts crying and looks away from you. Jane picks her up; Tara does not come out of the kitchen. Jane invites you to sit at the kitchen table and have an iced-tea. She has soothed baby Molly who is now sitting, with help, in Jane's lap and trying to play with a soft 'lift-the-flap' book that she's having difficulty grasping. While you are making small talk with Jane, Tara sits down at the table and glares at her foster mother. Molly looks up at her mom and smiles, but Tara ignores her, continuing to focus her gaze on Jane. You ask Tara some questions about the baby's daily routine, but, instead of responding to your inquiries, she tells you about how mean her foster mother Jane is and how Jane is trying to 'steal' her baby from her. You ask the foster mother about Molly and she tells you that Molly has a hard time sleeping some nights and is pretty clingy, but is a good eater and is not too fussy. Jane says also that Molly loves to be with her mom.

**INSTRUCTIONS**

Applying the principles of Child-Centered Advocacy, note your group's responses to each of the questions on the flip chart provided.

- Discuss what you have observed about (a) Molly's relationship with her mother and (b) Molly's relationship with the foster mother, and (c) the quality of her current daily environment.
- Are you ready to formulate a position? If not, what more do you need to know that you haven't learned from your observations? Where or how can you get this information?
- What could be the baby's perspective here? What do you think she's feeling/experiencing based on what you saw?

**LEARNING OBJECTIVES**

- The difference between being child-centered and attorney-centered/adult-centered.
- Become familiar with using a child-focused lens when observing the interactions, behaviors and environments of the young child and his/her caregivers.

## **THEORY TO PRACTICE #2: Permanency-Driven Advocacy**

**Format: 5 groups of 9-10 (GAL, mom, mom's attorney, dad, dad's attorney, DHHS attorney, case worker, foster mother, paternal grandmother, CASA [if 10 people in group]).**

Molly was adjudicated dependent as to both parents 3 months after the protective custody petition was filed. Around that time, Tara started to engage in services, including a dyadic, relationship-based clinical intervention. After 3 sessions, the clinician reports that Tara is becoming more responsive to her baby's cues and that she's less intrusive. She has been taking medication to help with her depression and seeing a therapist to discuss her traumatic childhood. Tara has been attending school more regularly and, with Jane's help, has gotten Molly up-to-date on her immunizations. However, Tara's relationship with her foster mother Jane has substantially deteriorated. Tara has been disrespectful and rude towards Jane and has not followed the rules in her house. Tara continues to accuse Jane of wanting to keep her baby. Jane has asked that a new placement be identified for Tara by the end of the week. Jane is willing to continue to care for Molly and adopt her if the permanency goal changes.

Molly's father, James, has come forward and has started working on a case plan as well. Since he doesn't know Molly, he is seeing her only in the context of relationship-based infant mental health therapy. Molly's paternal grandparents have requested custody of her and have been approved for placement by DHHS.

The case worker really wants everything to stay status quo since this situation has been stable for Molly and Tara. She's begged Jane to continue to care for both of them, but Jane is firm about Tara needing to go. DHHS has filed an emergency motion to change Molly's physical custody to Jane. You are meeting in advance of the hearing to try to reach some consensus and to formulate a plan.

*Keep in mind: Permanency is paramount and so are early relationships. If Molly stays with FM, don't forget advocacy around visitation/parenting time. If she moves with Tara, remember transition planning. What about dad's relatives?*

### **INSTRUCTIONS:**

- At the end of this exercise, your group will be asked to share the Molly's, Tara's and James' position as well as any consensus reached about how to proceed.
- If no consensus is reached, your group will share the options that were discussed.

### **LEARNING OBJECTIVES**

- Changing primary caregivers can significantly impact a young child and must be carefully thought through.
- Permanency is impacted by placement changes and the child's needs, not the adult's needs should be at the center of the decision-making.
- Experience advocacy from another person's perspective