



# SO YOU WANT TO ADD PEER ADVOCATES TO YOUR LEGAL REPRESENTATION MODEL?

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## PURPOSE

This guide highlights questions for children’s law offices to consider internally before implementing a peer advocate program. A fairly new innovation within the children’s law field, peer advocates help engage and support youth by integrating people with lived experience in legal representation teams. People with lived experience are those who have been directly affected by the child welfare system.

Integrating peer advocates will take time and intentionality. Both leadership and staff should pause and deliberate on the questions below early and often in planning. Readiness responses may vary between offices, depending on size, resources, geographic region, etc. Please contact NACC Youth Engagement Manager Cristal Ramirez at [Cristal.Ramirez@NACCchildlaw.org](mailto:Cristal.Ramirez@NACCchildlaw.org) if you would like Technical Assistance on any aspect of this assessment.

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## BACKGROUND: WHAT ARE PEER ADVOCATES AND WHY SHOULD CHILDREN’S LAW OFFICES INTEGRATE PEER ADVOCATES INTO THEIR LEGAL REPRESENTATION MODEL?

Peer advocates are young professionals with lived experience navigating the foster care system who work within multidisciplinary legal teams to provide high-quality legal presentation for youth. They provide clients the opportunity to work with someone on their case who knows from first-hand experience what being in the child protection system is like. Ideally, peer advocates are young enough to easily relate to youth clients but will have also had sufficient distance from their time in foster care to process their experience. Peer advocates help engage youth clients and connect youth to needed services and supports, with the goal of improving outcomes in their cases and their lives.

Although peer advocate programs in children’s law offices have not been studied, research has shown that similar programs are effective for parents. For example, a 2019 New York City study demonstrated that legal teams that included lawyers, social workers, and peer partners expedited reunification and guardianship for parents.<sup>1</sup> Peer advocates pave the way for more people with lived experience in foster care to inform and shape children’s legal representation offices and systems. When well-supported by an organization, its leadership, and its staff, peer advocates promote holistic client-centered advocacy.

## PREPARING AND STRUCTURING A PEER ADVOCATE PROGRAM

To be successful, peer advocates need training on the legal system and their specific role on a multidisciplinary legal team. Peer advocates also need support — both professionally and personally, as some cases may provoke an emotional reaction or re-traumatization from the peer advocate’s own experience. As with all staff, assigning a supervisor to work with the peer advocate who can provide or facilitate such support is important. The supervisor should ideally also have lived experience navigating the foster care system, as well as relevant training.<sup>2</sup>

Below is a list of questions to consider when assessing the readiness of your law office to incorporate the role of peer advocates.

## REFLECT ON BUY-IN AND READINESS

- Are all leadership and staff aware of what peer advocates do and how they might be beneficial to integrate into a law office?
- Are leadership and staff aware of their “why?”
  - Why is your office considering the addition of peer advocates to your legal representation model?
  - How do you foresee peer advocates might be beneficial to your work?
- What are other ways your law office has previously engaged lived experience experts?
  - Are there other positions on staff, Board, or advisory councils that are filled by people with lived experience? If so, how have they felt working, engaging, or integrating in your law office?
  - Has your law office collected feedback from people with lived experience? If so, how has the feedback been used or implemented? Have there been challenges that the law office has acknowledged and prepared to address?

## IDENTIFY THE OVERALL STRUCTURE

- Have you considered role design?
  - Have you considered the workload? How will peer advocates contribute to other tasks within the law office? How will they work with other members of the team? What might be the duties, tasks, and competencies that are requirements of a peer advocate?
  - Will peer advocates work in the office, work from home, or a hybrid schedule? What will their schedule and work hours be? Will they be full-time staff? How many hours will they work per week and how flexible might their schedule be?
- Have you considered the local court culture?
  - Have your local courts, child protection agency, and other stakeholders been educated about the role of peer advocates? Are they prepared to receive and welcome them at meetings and hearings?
- Have you considered training and support?
  - What kind of training does your organization need to provide to other professionals, such as lawyers, administrative staff, and social workers in the law office to ensure they are fostering a space where peer advocates feel psychologically safe? It is likely that some staff may not be familiar with the position of peer advocates or hesitant to bring additional people aboard. Managers should gather feedback and ideas from all staff and set expectations around this collaboration.
  - What kind of peer support for peer advocates can your organization offer and facilitate? It is helpful for peer advocates to have space to provide support and learn from one another. This can look like having a monthly coffee hour or check-in time.

DIVERSITY, EQUITY,  
AND INCLUSION

- What DEI work has your law office completed? What kind of training has staff and leadership participated in? Training should facilitate learning about unconscious bias, effective communication methods, how to create a safe and inclusive workplace where everyone feels seen and heard, and how to reduce prejudice and discrimination.
- Does your law office have a race equity officer that a peer advocate can go to if they have a concern? Having a point person peer advocates and other staff can turn to with any race equity concerns can ensure your law office provides a safe space for people to have dialogue when issues arise.
- What infrastructure currently exists to ensure race equity is at the center of your work, with staff and with clients?

RECRUITMENT  
AND HIRING

The criteria for hiring peer advocates should reflect the role they will play in your office and the population they will work with. In general, peer advocates should be young professionals who have had sufficient time away from foster care to process their experience, develop personally and professionally, and be able to serve someone else who is navigating their own foster care experience. NACC does not recommend a set number of years; rather, we urge children's law offices to assess if candidates demonstrate this through the application and interview process.

- How might recruiting and hiring people with lived experience look similar to other positions you have? How might it look different?
  - Do you have a job description? Who wrote it and were people with lived experience engaged in the process? Did the person who will provide supervision participate in its development? Consider looking at parent peer partner or peer navigator job descriptions to guide the development of a job description.
  - How have you designed the overall application and interview process? (i.e., resume review, the number of interviews, who will be involved in the process and decision making, a rubric you might use, etc.)
  - What are your recruiting methods? To ensure a wide and diverse reach of applicants, consider several listservs, social media, and even non-traditional places such as hospitals where people might see a posting on a bulletin board.
- Has the office considered any special exceptions to office policy?
  - Managers should be open to hiring peer advocates with a variety of educational, personal, and professional experiences, considering the many ways those experiences can contribute to the role.
  - Some youth who have experienced foster care may have also been involved in the juvenile justice or criminal legal system. Managers should evaluate on a case-by-case basis whether or not this background is disqualifying and remain flexible in their analysis.

## INFRASTRUCTURE

### ROLES AND RESPONSIBILITIES

Other necessary supports include onboarding, office orientation, initial and ongoing legal training, and professional development opportunities for peer advocates. Organizations should treat, train, and support peer advocates similarly to the other professionals within the agency or organization in most regards — while also taking into account different exceptions, special considerations, and increased support as needed.

- **Job description**

- Which tasks might peer advocates be assigned? Include a projected range for the number of assigned youth clients, what paperwork will be required, and other day-to-day responsibilities they will have.
- Which tasks will peer advocates not be assigned? Tasks that are meant for attorneys (ex. writing motions) or those that take specialized education and/or training should not be assigned to peer advocates.
- How often will they meet with their paired attorneys and social workers (if part of the legal team) to discuss cases? Peer advocates should be meeting regularly (i.e., weekly or bi-weekly) to provide and receive updates and coordinate tasks.
- How are the attorney and peer advocate expected to communicate with one another between meetings (i.e., email, case management database, text)? What types of issues will require immediate communication?

- **How will the role be introduced/explained to the client? To other case professionals? Everyone should be aware of the role of a peer advocate and their importance to the legal team.**

- **Have you thought about what special circumstances may need to be considered? Below are a few points to think through:**

- Will peer advocates be covered by attorney-client privilege?
- Will they be considered mandated reporters pursuant to your state's law?
- How will the office deal with conflicts of interest, or matters where a peer advocate has prior, personal familiarity with a stakeholder?
- Have you considered a protocol if the peer advocate is assigned a case involving the same social worker or judge that they had themselves?

## TRAINING

- **What kind of training is readily available to onboard peer advocates? What kind of training will be regularly scheduled as both refresher courses and further professional development? Here are a few topics to consider when training:**

- **Strategic Sharing:** when and how to self-disclose and navigate sharing their lived experience with others.
- **Psychological Safety:** how to create a psychologically safe space collectively and what that might look like individually.
- **Trauma-informed Care:** an overview of what that means and how to ensure they are using a trauma-informed approach.
- **Legal Training:** an overview of dependency court, delinquency/criminal law & crossover youth, family law, Indian Child Welfare Act, etc.

- Administrative Training: provide in-depth information on what paperwork must be filled out (and why), which tasks they will need to complete on a regular basis, communications expectations, etc.
- Race Equity and Diversity Training: training on reducing bias and discrimination, and how to work with people of different backgrounds effectively.
- Who is positioned to provide onboarding, training, and ongoing support? Does the staff involved have the capacity to take on this responsibility?

## SUPERVISION AND SUPPORT

- What kind of supervisor support is readily available? What does the supervision structure look like and can it be easily communicated? Peer advocates may need additional support in the beginning of their role, such as extra time to prepare for and debrief meetings.
- What kind of ongoing support might be provided? Peer advocates may need emotional support to process feelings that are likely to come up for them, such as being in a court room or hearing about an experience that was similar to their own. This is normal. It is important to work closely with peer advocates to help them proactively identify triggers and think through what support may be most helpful, available, and appropriate.
- How will peer advocate work be evaluated? Will there be annual reviews? Will there be client surveys that are collected? Providing peer advocates with both positive and constructive feedback is helpful and will ensure they provide the best support to clients. Collecting feedback from clients can also help inform how an analysis of the overall legal team's strengths and weaknesses.

## COMPENSATION AND BENEFITS

- How will a peer advocate role be funded? Will funding come from different sources? Will funding be provided initially, or will there be ongoing support?
- What kind of benefits are other staff provided? Does your health insurance plan or employee assistance program (EAP) include a mental health component? Will peer advocates receive the same? Peer advocates are likely to need additional emotional support as they navigate a space that hits close to home. It is vital that they have the resources to receive support, such as being able to see a mental health provider regularly. Offices should offer a benefits package that is similar to other full-time staff.
- What salary has been set? How was the market rate for the positions determined? Peer advocates must be offered a competitive wage. Managers can look to peer partner roles for parents' legal representation, or peer partner roles in the substance abuse/mental health space, within their jurisdiction as a starting point for this analysis.
- Have you considered the availability of Title IV-E funding to pay for these programs?

1 Casey Family Programs (2019) A Study of Parent Legal Representation in New York City. <https://www.casey.org/parent-legal-representation-new-york/>.

2 National Association of Counsel for Children. (2021). *Recommendations for Legal Representation of Children and Youth in Neglect and Abuse Proceedings*. p. 11. Available at: <https://www.NACCchildlaw.org/page/StandardsOfPractice>.

## CONTACT

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