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## YOUTH PERSPECTIVE

### I Wish My Lawyer Knew...

by Shéar Avory

I think often about the six years I was in foster care, the familial instability and abuse I endured that led to me becoming a foster child at the age of ten, and the abundant growth I've made to become a persevering young adult today. I wish my lawyer knew what his lasting impact has been on my life. At such a fundamental and vulnerable time in my adolescence, no other prominent figure involved in my case offered as much genuine support, honest guidance, and intentional care for my well-being than he did. He approached my case plan as a partnership — breaking with conventional practices of excluding foster youth from informing the decisions that directly impact their lives. In doing so, he empowered me to speak and be heard, evoking what would eventually evolve into a lifelong commitment to empower young people.

As I grew older, shuffling from placement to placement, and later, coming and going in and out of “the system,” I became acutely aware of my voice and the power I held in guiding my case plan to be the most practical for my needs and effective for my long-term stability. This boldness came as I learned to advocate for myself against the will of people in positions of authority who persisted to make decisions about my life without welcoming me to be part of my own journey. Feeling empowered to advocate for my own needs, however, wouldn't have

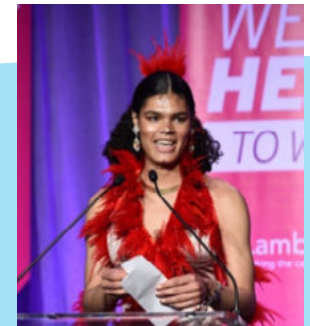
been possible without the support of my lawyer at the Children's Law Center of Los Angeles, Joseph Barrell. He welcomed my involvement but didn't ever shy away from transparency. And more often than not, the truth was hard. There are more foster youth than there are foster homes; social workers are over-capacitated<sup>1</sup> with overwhelmed caseloads; without adequate time to prepare, children's lawyers are whiplashed with new cases daily; and there's hardly ever space at the table for the young person in care to participate in the conversation. I grew tired of hearing the “same old, same old.” But the hardest truth I couldn't avoid was the denial I had about my mother's addiction. Time and time again the Department of Children and Family Services petitioned the court for reunification with my father — forcing me to attend family therapy sessions and unmonitored home visits with a physical and emotional abuser who subjected me to conversion therapy for five years of my early childhood. They felt justified in knowing I had no other family interested in caring for me. And the truth was my mother simply couldn't.

The few good memories I have of my childhood are of my mother. Having been raised by separated parents,

1. Over-capacitated (*noun / adjective*): beyond someone's personal capacity. [“Over-capacitated” acknowledges the overall structural issues of the foster care system. Whereas, using the word “overburdened” implicitly frames the foster youth as a “burden”].

I looked to her for comfort and our time together as a respite from my father's beatings and punishment. My lawyer understood the bond we shared transcended hope in our hopeless circumstances. He was the only person to pause and consider the potential of our success if we were able to reunify. And instead of turning a blind eye, instead of ignoring my unwavering persistence to not be returned to the care of my father, he chose to plant seeds in good faith and guide us together

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again. Inevitably, I grew up sooner than I should have by assuming the parental position at such a young age to care for my mother. I encouraged her to seek treatment and supported her through recovery all the while making sure I wasn't simultaneously thrown around like a rag doll in the system. This "off the record guidance" and mentorship was invaluable in eventually demonstrating her sobriety and gradual stability to the court. My lawyer didn't just not give up on us wanting to reunify — he was fundamental in saving my mother's life so that we could.

However, the damage had already been done. Years had gone by and nothing was the same. I was growing up, with unknown resentment, and my mother was recovering, with guilt she couldn't admit. We had been kept apart for such a long time we didn't know how to communicate, and we lacked trust in each other. And because the focus had intently been on reunification with my father, my mother and I were left to fend for ourselves. Consequently, I'd come and go in and out of "the system" many times over to access the support and services we needed. It became increasingly easier to become a ward of the state again and again than it was to return home. Because of my lawyer, I knew I'd be okay despite the revolving door of instability that would foreshadow my life to this day. He understood that too often the system does more harm than good, and in my case, my mother and I hadn't been set up for success. We were predestined for failure from the beginning.

All too often, foster youth are branded as "the problem child" and thought of as separate from their circumstances — a harmful culture children's lawyers can be influential in changing! An eye-opening report published by The Human Rights Campaign speaks to this reality for LGBTQ youth in the foster care system:

"A recent study in Los Angeles conducted by the Williams Institute found that nearly 1 out of 5 (19.1%) LA-based foster youth are LGBTQ and the

percentage of youth in foster care who are LGBTQ is between 1.5 and 2 times that of youth living outside of foster care." Furthermore, "research shows that LGBTQ youth are more than twice as likely as their non-LGBTQ peers to report being treated poorly by the foster care system. A survey of LGBTQ youth in out-of-home care in New York City found:

- 78 percent of LGBTQ youth were removed or ran away from their foster placements as a result of hostility toward their sexual orientation or gender identity.
- 100 percent of LGBTQ youth in group homes reported verbal harassment.
- 70 percent of LGBTQ youth reported physical violence in group homes."<sup>2</sup>

My lawyer understood this context and integrated a consciousness of wellness with young people as a guiding principle. Without judgment, we'd pick up where we left off more determined than before to be sure I could continue progressing with access to essential resources and opportunities to connect with my community. By the time of my first group home placement at the age of eleven, I had attended eleven public schools and was experiencing unyielding bullying and harassment. Within a week of being enrolled in yet another new middle school, I was suspended for defending myself from physical violence. Made to look like the "problem child," I was considered for expulsion from the school district. Instead of allowing fate to determine the outcome, I decided to take matters into my own hands by Googling non-traditional alternatives for middle and high school students. As one of the few people to accept my developing gender identity and affirm the expression of my whole self, my

2. "LGBTQ Youth in the Foster Care System." Human Rights Campaign & FosterClub. Available at: <https://assets2.hrc.org/files/assets/resources/HRC-YouthFosterCare-IssueBrief-FINAL.pdf?ga=2.94428763.639627628.1560858776-198380127.1560858776>

lawyer's allyship was crucial in successfully petitioning the court — with my search findings and a letter I wrote personally to the judge overseeing my case — to order I be enrolled in Opportunities for Learning, an independent study program at the LA LGBT Center so I could focus on my studies in an affirming learning environment. When the hearing was adjourned, I knew something powerful had just happened. The audacity to speak for myself as the young person in care made a statement. Together, my lawyer and I made an impact by holding the system accountable to its primary responsibility: wellness.<sup>3</sup>

The most significant form of stability I found as a foster youth was in knowing I had a confidant in someone. Our mentor-mentee<sup>4</sup> relationship broadened my understanding of how to advocate for myself effectively, pioneered opportunities to speak on my own behalf, and established the autonomy to assert my needs. Because of this, today my advocacy is rooted in the empowerment of young people. What began out of necessity for survival as a foster youth is now an all-encompassing purpose to advance social, economic, racial, gender, and disability justice. Beyond investing in the development of my leadership, my lawyer's greatest impact is the assurance I gained in knowing that at the end of the day, when all is said and done, I can look to myself to be my own advocate. I wish he knew, because I'd simply say thank you.

Moving forward in the hustle and bustle of your day-to-day workflow, take a moment to consider opportunities to invest in the leadership of young people and ask how you're empowering foster youth to speak for themselves to determine their own futures. ■

3. Wellness embodies safety as an aspect of one's whole well-being. Knowing this establishes the responsibility to see the young person in care for their whole self (including their circumstances) and to prioritize a care model that is comprehensive to the foster youth's individual needs.

4. A mentor-mentee relationship is a personal connection with a lasting impact that isn't confined to law school textbook basics. It is a long-term investment in the potential and well-being of the young person in care. Fostering a mentor-mentee connection with the young people you represent is a different way of approaching "just another case."