

The National Association of Counsel for Children is dedicated to advancing the rights, well-being, and opportunities of children impacted by the child welfare system through high-quality legal representation.



YOUTH PERSPECTIVE

How Lawyers and Youth in Care Can Work Together Well

As a child growing up in the foster care system, I didn't know that I had a right to a lawyer. When I did hear that I had a lawyer assigned to me, I thought she would defend me in a criminal case if I were to get in trouble. That was the basic definition of a lawyer the world had already given me. When I was arrested as a teenager, I found out the hard way my lawyer wasn't that type of lawyer.

Before my criminal justice system involvement, I did not talk to my lawyer much when I was in family court. When I entered into the foster care system, I was never told why I needed a lawyer in the first place, or that I had one. However, because of my experience with the criminal justice system and the lawyer I had for that case, I was able to build a much better relationship with a new lawyer assigned to me in the child welfare system.

Through my new lawyer I learned about resources and opportunities that my older brothers did not learn about, even though they dealt with the same issues that I had. Having a lawyer while I was in foster care helped me know what options I had going to court, and — most importantly — made me aware of the fact that I had options. Recommending I enter extended foster care was one of the best things my lawyer did for me because I had no idea there were

any benefits to staying in care. If I hadn't learned about those benefits, I would have turned 18, signed myself out, and would have just been excited not to deal with the foster care system anymore.

While I ended up being able to build a relationship with my new lawyer, there were many times when I felt my first lawyer could have helped me understand more about my case, the process, or what to expect at court when I was younger. Most of the time I spent in court involved waiting in silence; looking back I wish I had at least learned about what was happening that day. Most of the positive information I got from my lawyer was the result of my questioning and inquiring a lot. In truth, I think if I had been more reserved, I would have never gotten as much support.

Not having a lawyer would be disastrous to youth in care. It's a daunting enough task as a youth to continuously have to face a judge. To have youth do so without representation would be cruel. Kids in foster care do not get special training classes to keep up with the language and are not always fully able to grasp the concept of what it takes for us to be cared for in placement. It is incredibly harmful to the well-being of any youth to have a court proceeding without quality representation or any explanations.

by Marcus Jarvis

Marcus Jarvis is a 27 year old father of three from Philadelphia. He has been working with Juvenile Law Center for the past 6 years in the Youth Advocacy Program. Marcus utilizes his experiences in the juvenile justice system and child welfare system to create change in and better inform professionals in those fields. He also delivers food for Grub-Hub and was recently awarded a media justice fellowship with the Re-Entry Think Tank in Philadelphia.

It is important that kids in foster care know they have an attorney and how it is best to work with them to help them in placement and in their case. Based on my experiences, I would suggest that lawyers for children:

- Explain to youth that they have a right to a lawyer and what their responsibilities are to ensure due process. (The foster parent or social worker can have conflicts of interest with children because of their professional role in the child's life.)
- Share information on a continuous basis to ensure that youth know their rights.
- Give examples of different ways lawyers have helped youth in the past and converse about the language and processes in court
- Share a video or series of games that present the information in youth-friendly ways. ■