

THE ROLE OF AN ADVOCATE

WHEN BATTERED WOMEN MAY BE INVOLVED WITH CHILD PROTECTION

Even when parents and children have a court-appointed attorney, there are still many points along the way where an advocate may be helpful, particularly before a case gets to court, or even if a case never goes to court.

Advocates can:

1. Assist a parent or child in determining what services could help prevent an out-of-home placement
 - Housing advocacy
 - Assistance with job training/education
 - Transportation needs
 - Parenting support and education groups
 - Resources/referrals to assist with affordable child care
 - Drug/Alcohol treatment referrals to centers that support both the woman and her child(ren)
 - Define abuse, educate a battered woman about the dynamics of abuse, the effects of violence on children, learned behaviors and non-violent parenting skills
 - Provide information so she can make informed choices for herself and her children

2. Assist a battered woman in asking the county for a re-determination of a finding of maltreatment. If this is unsuccessful, advocates can advise a woman on the merits of their case and accompany them at an appeal hearing in front of an administrative law judge.

3. Help a battered woman determine if her child(ren) is eligible for enrollment in an Indian tribe and if so, if there are tribal social services available to help.
 - Assist with resources and referral
 - In spite of the federally enacted Indian Child Welfare Act, Indian children continue to be removed from their families and tribal communities at alarming rates. Not only do agencies fail to adhere to federal law, they fail to recognize the devastating impact removal from family and culture has on the spirit and lives of these children.
 - Help a battered woman explore her options regarding state or tribal court. Some tribes may not have its own tribal court and for some women, staying in state court might be the wiser, safer choice. Others may be treated more fairly and less harshly in tribal court. Help the battered woman explore her options.

4. If an out-of-home placement is necessary, advocates can help find relatives or family friends who may take the child on a temporary basis to prevent juvenile court involvement (also consider a power of attorney)

5. With a release of information, advocates can recommend that certain services be provided to a family and/or included in the child protection case plan
 - Provide information to a battered woman so she can make informed decisions then assist her in making realistic and safe recommendations for her case plan
6. Develop a positive working relationship with county child protection staff. When this exists, advocates can often intervene on behalf of a battered woman more effectively – and earlier in the process, before a case gets to court. These efforts may even prevent court action.
7. Become familiar with current statutes as they relate to child abuse and neglect and become familiar with mandated reporting laws.
8. Ask for any specific criteria used by the counties in which they're providing services to battered women. Initial Screening Criteria is public information and can be requested by the county.
9. If the county makes a finding of maltreatment but decides no services are necessary and close the file without ever filing a CHIPS petition, an advocate can play a crucial role in helping battered women. Advocates can determine whether a battered woman and/or her children are entitled to services and wish to receive them immediately in the hopes of alleviating or reducing future problems
10. Consult immigration experts for more information if the battered woman is not a US citizen
11. Inform the battered woman that she and her child(ren) have a right to representation in the development of their case plan. An advocate can aid in obtaining services for the family.
12. Stress the importance of complying with case plans to ensure the best possible outcomes and to reduce the risk of having the children removed. Compliance with a visitation schedule is extremely important and efforts can be made to assist a battered woman with transportation, etc. to ensure these schedules are not dismissed.
13. Can assist the county workers in modifying the case plan if activities are no longer appropriate or if they jeopardize the safety of the battered woman and her child(ren).
14. Assist a battered woman with a self-report if she is the abuser to her child(ren) but follow-up with concrete education, support, resources and compassion.