

Washington's foster children experience 'justice by geography,' report finds

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A new report from The Access to Counsel Project at the UW School of Law sheds light on how inconsistent practices and policies in Washington state dependency (child abuse and neglect) courts leave many children without an advocate in decisions that shape every aspect of their lives. Decisions made in these court hearings include where a child will live, whether they can see their family, and what services and supports they can receive.

The report, "Defending Our Children: A Child's Access to Justice in Washington State," includes data from a survey of judicial officers in Washington's counties and nearly 600 randomized observed hearings in King, Snohomish and Pierce County. The report found:

- 23 percent of [children](#) in observed hearings had no advocate at all
- Children continue to receive "justice by geography"
- Children in 12 counties automatically are appointed an [attorney](#) at a certain age
- The 27 remaining counties have no automatic appointment process
- Children in observed hearings received the best representation when they are appointed both a CASA (Court Appointed Special Advocate) and an attorney
- 84 percent of children with both a CASA and an attorney had their opinions shared with the court
- Only 19 percent of children with only a CASA and 6 percent of

children with no advocate had their opinions shared

- 85 percent of children with both a CASA and an attorney had their wellbeing discussed
- Only 62 percent of children with only a CASA and 28 percent of children with no advocate had their wellbeing discussed
- Children are rarely appointed an attorney upon request
- Less than 1 percent of children without an attorney were appointed an attorney through the current process, which requires a child or other party to request one

"The data shows what many have been saying for years: the system is broken," said Alicia LeVezu, author of the report and Equal Justice Works Fellow, Sponsored by Perkins Coie LLP and Intellectual Ventures, at UW Law's Children and Youth Advocacy Clinic.

"We need to start universally appointing attorneys for children who are the most vulnerable participants in these court proceedings," she said.

"For too long, the voices of children in foster care have been ignored and overlooked; we must appoint children representation so that their voices can be heard."

More information: The full report is available at www.law.washington.edu/Clinics ... ildrenAugust2016.pdf

Provided by University of Washington

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