

Research Snapshot

NCJFCJ

July, 2013

Assessing a Parent Representation Program in Texas

Texas state statute provides for appointment of legal counsel for indigent parents; however, it does not specify at what point in the case an appointment must be made. The National Council of Juvenile and Family Court Judges (NCJFCJ) considers the appointment of early legal representation for indigent parents as a “best practice” in juvenile dependency proceedings. To this end, the Travis County Model Court in Austin, Texas began a parent representation pilot project in 2009, appointing attorneys at the time of petition filing.

This study examined case-level differences between parents that were involved in the attorney representation pilot program (hereafter pilot cases) and parents that were not involved in the attorney representation pilot program (hereafter control cases). Analysis focused on timeliness of case processing, appearance of parties across the life of the case, and placement outcomes.

Timeliness

On average, control cases (25.48 days) took longer to reach full appointment than pilot cases (7.65 days). Separating cases by the median number of days (10) from *ex parte* hearing to full appointment into “low” (less than 10 days) and “high” (more than 10 days) groups indicated that pilot cases (71.7%) were more likely to be included in the low group than control cases (25.5%).

Appearance of Parties

On average, attorneys for pilot cases were present at 89.4% of hearings, compared to 69.7% of attorneys for control cases. Although participation in the pilot program was not significantly related to the presence of parents at hearings, parents in pilot cases (72.0%) were present more often across the life of the case than parents in control cases (65.0%).

“At the most pragmatic level, lawyers are society's professional problem solvers... Lawyers are expected to restore equilibrium, to be balancers.” – Rennard Strickland & Frank T. Read, The Lawyer Myth: A Defense of the American Legal Profession

Key Findings

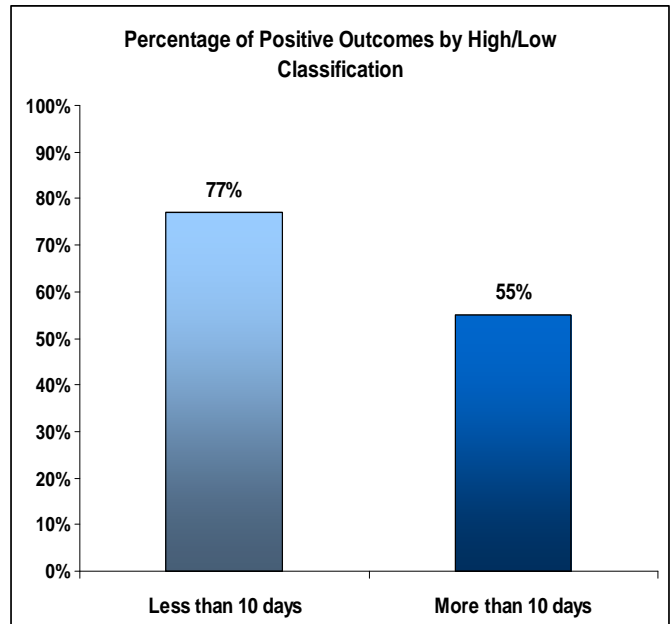
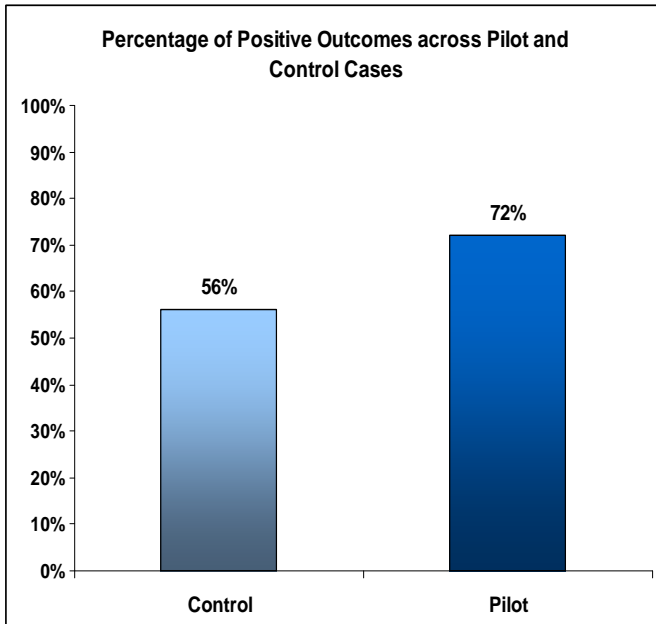
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- Pilot program cases received fully-appointed attorneys faster than control cases
- Pilot cases resulted in positive outcomes more often than control cases
- Parent presence at hearings was related to increases in reunification and case dismissals, and decreases in PMC to the department
- Cases with full appointment within 10 days of the *ex parte* hearing resulted in positive outcomes more often than cases with full appointment 10 days after the *ex parte* hearing

Placement Outcomes

Across the life of the case, increases in the percentage of hearings that parents were present at increased the likelihood of reunification or case dismissal, and decreased the likelihood of permanent management conservatorship (PMC) to the department. Separating the four possible placements into a dichotomous positive (return/dismissal or relative/guardianship) or negative (PMC to department or aging out) variable indicated that pilot cases (72.0%) were more likely to end in a positive outcome than control cases (55.7%). For “low” cases, irrespective of being pilot or control, a positive outcome was achieved 77.3% of the time, compared to 55.0% of the time for “high” cases.

Overall, the findings indicate fidelity in the implementation of the pilot program. In addition, they highlight the importance of early attorney appointment for parents involved in the juvenile dependency system.



Research Snapshots highlight key elements of reports and projects that address the need for empirically-based research on systems change in the juvenile and family court system. For more information, please visit our website: www.ncjfcj.org

The mission of the National Council of Juvenile and Family Court Judges is to provide all judges, courts, and related agencies involved with juvenile, family, and domestic violence cases with the knowledge and skills to improve the lives of families and children who seek justice.

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