



**Children's Law Center**  
**of Los Angeles**

1269

**Testimony of Leslie Starr Heimov**  
**Interim Executive Director/Policy Director**  
**Children's Law Center of Los Angeles**

Hearing of the Connecticut Judiciary Committee  
April 4, 2006

Child welfare law is a complex and difficult practice, requiring a structure that promotes the proficient delivery of legal services. Child clients are the most vulnerable of any, and the decisions made in court set the course for every aspect of children's lives.

The future of these children; their family relationships, physical safety, health, mental health, education, and home are at stake. To provide them with any less than the highest level of representation cannot be justified and should not be tolerated.

A child welfare practice requires proficiency in a variety of areas; child development, special education, community resources, substance abuse, social work and investigation, domestic violence, grief and mourning, public benefits, health care, negotiation and mediation skills, legal research and writing, and trial skills. In order to achieve the necessary level of expertise in these varied disciplines, it is essential that attorneys devote their attention to the full time, exclusive practice of this specialty.

Like a public defender's office or a large law firm, the agency model is optimally suited to ensure that best practices become the norm, rather than the exception. Court-involved children experience better outcomes when they are represented by an attorney who has adequate training, compensation, and access to a panoply of resources and staff expertise.

This model provides a concentration of expertise, access to state-of-the-art tools of the trade including research, legal updates, and expertise from other disciplines, as well as opportunities to consult with colleagues who possess an array of skills. Lawyers knowledgeable in education, mental health, probate, and delinquency law will work together and support each other on behalf of the child client, thus providing a seamless continuum of legal and related services.

Adequate resources must be provided to conduct training classes for rookie lawyers, ongoing targeted continuing education classes, and regular case reviews. Without this ability, many critically important training topics could be addressed only sporadically or even overlooked.

Within the standards provided by the ABA, the NACC, and local court rules or state statutes, there are certain defined standards of practice. However, without actual oversight and supervision, without looking at case files, observing the lawyers in the

courtroom, and gaining a thorough understanding of the quality of representation actually provided, there is no way to have confidence that the standards are being met.

Only personal oversight can ensure that each child is receiving the same type of representation, coming from the same base of information, the same legal understanding and philosophy. The level of representation a child receives should not be dependent upon the calendar attorney of the day or whoever happens to be the next available attorney on the bar panel list. There should be oversight from within the agency in the form of self-monitoring.

Children and families also benefit most from an agency model that promotes consistency of representation, thus enabling better transitions among attorneys. If a child's lawyer changes, the child will continue to have the same firm representing him/her, and there will be greater ability to share information and hand over the case sensitively.

Although there is a critical mass of efficiency for a children's law firm, it is not necessary to have an office of 100 – 200. There should be sufficient attorneys and other staff to allow for specialization. It is not unusual for an attorney handling child protection cases to require the services of social workers and other professionals who can provide knowledge of related practice areas, including education, mental health, delinquency, and other specialties.

Additionally, there should be opportunity to develop professional mentorship. A number of lawyers acknowledge having felt adrift when they first started in child welfare law. New entrants into the field can often feel overwhelmed by the responsibility of representing a child in a proceeding where life-changing, and sometimes life-saving, decisions are made every day.

The integrity of each individual case and the integrity of the legal system, the child welfare system, and the court system are dependent in large part upon child welfare attorneys monitoring themselves and holding themselves to the highest standard possible. To accomplish that without the support of the children's law office is challenging at best, and more likely impossible.

The oversight of a well organized and well managed children's law agency provides youth in the foster care system with consistent, stable, adequately supported, and effective representation by talented and devoted attorneys who are able to dedicate their professional life to this worthy field. Our most vulnerable children deserve no less.