



Abused and At-Risk Children Are Falling Through Cracks in the System...

The Child Protection Connection™ was created because the most important decisions about abused and at-risk children's lives are made in court, whether the children are victims of child abuse and neglect, youth in the juvenile justice system, unaccompanied immigrant children, or child victims of human trafficking. These vulnerable children experience poor outcomes when the court system fails to protect them. The following information is specific to child protection (the court cases of child victims of abuse or neglect), but this is just one example of a system that fails children. In 2004, national court leaders and child abuse experts raised alarm on how court systems across the U.S. are failing abused and neglected children. The Pew Commission on Children in Foster Care, a landmark national commission, noted such failures, including:

...crowded courts, overworked and often under-trained judges and attorneys, and decisions made without sufficient information or insight. In the end, children and families pay the price when courts lack the tools and resources to do their job well. (Final Report, The Pew Commission on Children in Foster Care, May 2004, pp. 14-15 (emphasis added), a copy of which is attached).

Unfortunately, in the 13 years since the issuance of the Pew Report, the child abuse court system is still too dire. **The single most pivotal event in an abused child's life is the civil court case where every major aspect of that child's life is determined** by a judge, based on evidence presented by court-appointed attorney. The judge must decide where the child will live and with whom, whether the child will see siblings and parents, what treatment and services the child will receive to help him or her overcome the trauma of the abuse, whether the parents are now capable of providing a safe home, and a host of other decisions. The child's safety, health, education, and ongoing quality of life depend on receiving the best decisions from the court. However, civil child abuse cases are typically funded by the county, which results in a court system that is substantially overburdened and underfunded. As surprising as it may seem in this technological age, the judges and attorneys often lack access to crucial knowledge, training, and tools necessary to ensure a safe home and the best outcome for each child, and counties around the country simply cannot afford to invest in these types of resources.

Court-appointed legal representation for children differs from that of law firms who represent corporations or individuals who have the means to bankroll the quality of their legal representation. These clients employ seasoned attorneys, hire expensive consulting experts, have huge budgets for use of expensive legal research tools, and hire private investigators. Because most attorneys who handle child protection cases are also stymied by the county's budgetary constraints, they lack the resources, and the support teams to assist with complex legal proceedings on behalf of their child clients.

Thankfully, there are numerous knowledgeable and experienced attorneys who practice in this field and do an outstanding job - but every child does not have the benefit of one. Child protection courts are often the training ground for brand new attorneys who "cut their teeth" taking court appointments representing parents and children as they start their legal careers. Most law schools do not offer specific comprehensive training to students in the psychological dynamics of child abuse and the ever changing facets of child abuse law. Additionally, judges may be elected to a court and be called upon to make

decisions in cases involving abused children without ever having been involved in a child protection case as an attorney. While the lack of experience should not preclude new attorneys from practicing in this field, or judges from presiding in these cases, to do so without providing appropriate resources - and access to support networks and mentoring along the way - jeopardizes the lives and well-being of the vulnerable child clients already traumatized by abuse and neglect. Another significant problem affecting a child's right to effective legal representation is that in many jurisdictions, abused children do not have access to legal representation at all phases of the court case, leaving them even more susceptible to re-abuse, and exploitation by the very system meant to protect them. This makes it even more imperative that judges overseeing these cases have the best training and access to information possible. Without that access, the judges and attorneys handling these cases cannot consistently ensure that these children do not fall through cracks in the system.

The Statistics Surrounding Abused and At-Risk Children Are Alarming...

The plight of abused children and the tragic consequences of an underfunded civil court system pose a national problem that remains largely unknown by the public, yet it affects hundreds of thousands of children each year. In 2014 alone, over 702,000 children were confirmed as abused or neglected in the U.S. In addition, a new study released by Yale University last summer confirms that the number of children who experience abuse or neglect is much higher than annual figures would indicate. "Annual rates of confirmed child maltreatment dramatically understate the cumulative number of children confirmed to be maltreated during childhood. Our findings indicate that maltreatment will be confirmed for **1 in 8 U.S. children** by 18 years of age, far greater than the 1 in 100 children whose maltreatment is confirmed annually. **For black children, the cumulative prevalence is 1 in 5; for Native American Children, 1 in 7.**" "The Prevalence of Confirmed Maltreatment Among U.S. Children, 2004 to 2011", C. Wildeman, et al., *JAMA Pediatrics*, 2014. (emphasis added)

The Centers for Disease Control and Prevention's ("CDC") Adverse Childhood Experiences ("ACE") Study (<http://www.cdc.gov/violenceprevention/acestudy/>) is one of the largest investigations ever conducted to assess the connection between child maltreatment and long-term negative health and social problems, including alcoholism, depression, suicide attempts, teen pregnancy, risk for intimate partner violence, ischemic heart disease, liver disease, and early death, among others. In a February 2012 press release regarding its new study of the costs of child maltreatment, the CDC noted, "Child maltreatment has been shown to have many negative effects on survivors, including poorer health, social and emotional difficulties, and decreased economic productivity. This CDC study found these negative effects over a survivor's lifetime generate many costs that impact the nation's health care, education, criminal justice, and welfare systems." The press release urges, "Federal, state, and local public health agencies as well as **policymakers must advance the awareness** of the lifetime economic impact of child maltreatment **and take immediate action with the same momentum and intensity dedicated to other high profile public health problems -- in order to save lives, protect the public's health, and save money.**" (emphasis added)



The Impact of Poor Legal Representation...

The failure of courts to ensure that abused children are not abused again, and that they receive the treatment and services they need to overcome the effects of the abuse, are often the root cause of

pernicious societal problems, including the intergenerational cycle of abuse. Many of those who become entrenched in some of the most intractable problems in our society--- substance abuse, human trafficking, homelessness, poverty, and engaging in prostitution, juvenile delinquency, and adult criminality --- were abused or severely neglected children who fell through cracks in the system. We read about them in the news every day: a child returned home only to be the victim of further abuse; a child who runs away from home or foster care and becomes a victim of the street, falling prey to human trafficking through prostitution and homelessness; the child who seeks to ease his or her pain and turns to alcohol and drugs...and then later crime; and finally, the child lost in the system, who has bounced from foster home to foster home and hopelessly waited half a lifetime to be adopted... and never was. Addressing the needs of abused children during their court cases can help these children have productive lives and avoid major problems that can burden society with huge ongoing costs.

The Child Protection Connection™ Protects Abused and At-Risk Children...

By leveraging technology, Texas Lawyers for Children created a revolutionary system to fill the gaps in knowledge, training, and resources for judges, attorneys, and other child advocates within a state --- the Child Protection Connection™. This is a unique one-stop source of critical and cutting edge legal, medical, and psychological resource materials in an easily searchable database, and it contains innovative communication tools which allow judges, attorneys, and other professionals to discuss novel solutions, share expertise with their respective colleagues, and mentor those with less experience. Making quality resources easily and inexpensively available to all attorneys across the state, along with the sharing of expertise by seasoned attorneys with less experienced practitioners helps to eliminate the learning curve for newer attorneys or judges, and helps to ensure that every child in every case will have effective representation. Additionally, the Child Protection Connection™ provides opportunities for pro bono involvement, as well as access to video-recorded training programs and has developed online communities, unprecedented in the field, that collaborate by sharing best practices to improve the lives of abused and neglected children. The Child Protection Connection™ can also be adapted to serve other vulnerable children, such victims of human trafficking, unaccompanied immigrant children, and youth in the juvenile justice system. This multifaceted approach allows the Connection to broadly address the issues faced by children and adolescents involved in the court system at crucial stages of their lives. The Child Protection Connection™ is the only program of its kind in the nation, and it has been hailed as a catalyst for systemic improvements in how child abuse cases are handled in the courts.

Remember that the information presented here was but one example of a system failing children. There are countless other examples, and thus countless reasons for the Child Protection Connection™ to be made available in every state. Any impassioned individual can contribute to the cause just by letting others know how crucial this work is for children. Become part of the safety net that keeps vulnerable children from falling through the cracks. Help us spread the word so we can serve even more abused and at-risk children!

Learn More:

www.facebook.com/ChildProtectionConnection

www.twitter.com/ChildProtexnCXN

www.youtube.com/watch?v=WhJ1whstGYo