



NEW MEXICO
FAMILY ADVOCACY
PROGRAM

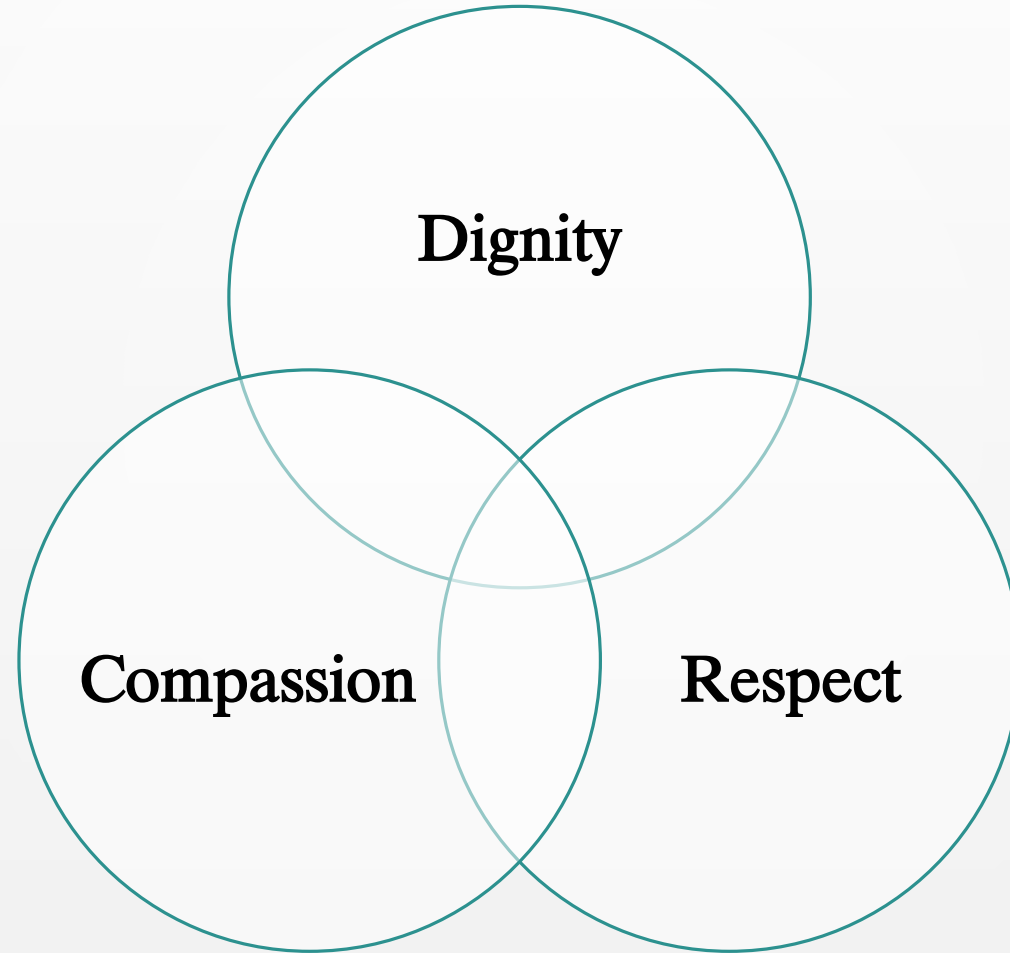
*An interdisciplinary model for parent representation
in our child welfare legal system*

WHAT IS THE NM FAMILY ADVOCACY PROGRAM?

- A model of representation for Respondent parents and guardians in Abuse/Neglect cases.
- An interdisciplinary team comprised of an attorney, social worker and parent mentor, working collaboratively as a Respondent parent's legal team.
- Uses the training, specialized knowledge, and skill of each team member to advocate for and help parents and guardians achieve their stated legal goals for their families.



NMFAP CORE VALUES



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NMFAP is committed to the principals of
Cornerstone Advocacy,

as developed by



*A brief summary of Cornerstone Advocacy, from materials provided by CFR, is attached to this presentation.



APPOINTMENT & ACCEPTANCE IN NMFAP

- During the NMFAP pilot project period a Respondent parent's appointed attorney would refer their appropriate cases/clients to the Program, and the Program would determine which cases/clients to accept in to the Program.
- During the Health & Human Services/Children's Bureau Grant period, a Respondent parent or guardian who is a primary custodian and whose appointed attorney has agreed to participate in the Program may be assigned to the Program on a random basis, dependent upon the ability of the Program to accept new cases.



NMFAP ORDERS & AFFIDAVITS

- After the parent is accepted into the Program, the parent's attorney must prepare and submit an Order Regarding Family Advocacy Program for the Social Worker, Parent Mentor, or both, to the Court for approval and filing.
- The parent's attorney must also prepare the Social Worker and/or Parent Mentor Affidavit, which must be signed by the Social Worker and/or Parent Mentor and the attorney, and filed with the court clerk.



**NMFAP Social Workers and Parent Mentors
are part of the Respondent parent’s legal team
and are therefore covered by attorney-client
privilege pursuant to NMRA 16-106.**



NMFAP SOCIAL WORKERS

- Meet regularly with the parent to review service planning, provider reports, goals and progress.
- Appear with the parent in court.
- Attend department staffings and meetings with the CYFD permanency planning worker alongside the parent.
- Coordinate service planning with the CYFD worker.



NMFAP SOCIAL WORKERS

- Communicate with the parent's service providers.
- Research and make referrals to community service providers.
- Help the parent prepare for meetings and hearings.
- Help the attorney to better understand the parent's needs so that the attorney can have better communication with, and provide more effective advocacy for, the parent.



NMFAP PARENT MENTORS

- Attend CYFD meetings and appear in court with the parent.
- Provide support to the parent during difficult case events.
- Provide support to help the parent work effectively with CYFD staff and foster parents.



NMFAP PARENT MENTORS

- Help the parent navigate school issues, public entitlements, housing, and other bureaucratic venues.
- Teach the parent how to advocate for themselves and their children.
- Help the attorney, social work staff, and CYFD staff connect with challenging parents and provide insight into dealing with substance abuse, domestic violence, homelessness, and other difficult issues for parents.



NMFAP SOCIAL WORKERS & PARENT MENTORS IN COURT

- Courtroom seating and procedures may vary, but in most cases the NMFAP Social Worker and Parent Mentor will sit with the parent and the parent's attorney at counsel's table and their appearances will be stated by the attorney.
- During hearings, the Social Worker or Parent Mentor may:
 - Help the parent when difficult information is presented to the Court.
 - Provide information for the parent's attorney to present to the Court.
 - If needed, communicate with the Court about services or the parent's efforts to comply with the treatment plan.



NMFAP SOCIAL WORKERS & PARENT MENTORS AND CYFD

- NMFAP Social Workers and Parent Mentors routinely attend CYFD staffings, Family Centered Meetings, meetings with the parent’s Permanency Planning Worker, and home visits to provide support and advocacy for the parent around services, treatment plans and compliance.
- NMFAP Social Workers work closely with Permanency Planning Workers and other CYFD staff to coordinate service planning.
- NMFAP Social Workers can conduct the biopsychosocial assessment of the parent, which is often part of the Initial Assessment Plan.



NMFAP SOCIAL WORKERS & PARENT MENTORS AND CYFD

- NMFAP Social Workers and Parent Mentors work to identify possible Visit Hosts, and may observe visits in order to provide feedback to the parent.
- The parent’s attorney must be copied on all emails and any other written communication between CYFD and NMFAP Social Workers and Parent Mentors because they are part of the parent’s legal team.



NMFAP SOCIAL WORKERS & PARENT MENTORS AND CYFD

- There will be times when NMFAP Social Workers and Parent Mentors have information about a parent that CYFD does not have and that they are prohibited from sharing because it is protected by attorney-client privilege.
- NMFAP Social Workers are Mandated Reporters under NM law and are ethically obligated to take action should they have reason to believe a parent or child is at risk of imminent harm.



NMFAP SOCIAL WORKERS & PARENT MENTORS AND COMMUNITY SERVICE PROVIDERS

- NMFAP Social Workers and Parent Mentors give service providers releases of information so that providers can discuss the parent's treatment and progress with the NMFAP Social Worker, Parent Mentor, and the parent's attorney.
- NMFAP Social Workers review evaluations and progress reports with parents to help parents better understand their diagnoses, strengths, and challenges so that they can more actively and effectively engage in treatment and advocate for what they need.



NMFAP SOCIAL WORKERS & PARENT MENTORS AND COMMUNITY SERVICE PROVIDERS

- NMFAP Social Workers and Parent Mentors work closely with community service providers to identify and secure appropriate treatment for parents, and to monitor parent compliance with and progress in treatment.
- NMFAP Social Workers and Parent Mentors attend provider meetings and home visits to support and help ensure that parents understand treatment or program requirements.

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NMFAP SOCIAL WORKERS AND PARENT MENTORS *DO NOT:*

- Relieve the assigned attorney of his or her obligations under the Code of Professional Conduct, the Children’s Code, or the Performance Standards in his or her contract with the AOC.
- Relieve the Children, Youth & Families Department of its obligation to make reasonable efforts to assist parents with their treatment plans.
- Testify for or against clients in court hearings during which any facts or plans are contested by any party.



NMFAP - ACHIEVING BETTER OUTCOMES & SHORTENING TIME TO PERMANENCY BY:

- Providing informed, effective advocacy for parents.
- Empowering parents to reunite with their children as better, not perfect, parents.
- Increasing parent engagement in their case plans.



NMFAP - ACHIEVING BETTER OUTCOMES & SHORTENING TIME TO PERMANENCY BY:

- Advocating for treatment plans that are relevant and customized to the parent's particular issues, needs, and strengths.
- Advocating for frequent visitation in the most natural setting possible.
- Helping parents who are unable to reunite with their children to be able to support their children's need for permanency elsewhere, when possible.



Cornerstone Advocacy

An Approach to Safe and Lasting Reunification





THE FOUR CORNERSTONES

Visiting

Should be as frequent and long as possible, and in settings that most closely mimic family life.

Placement

Should support a child's connections to family and the people and institutions that the child was connected to before placement.

“Cornerstone Advocacy” supports family reunification by devoting intensive advocacy during the first 60 days of a case in four areas.

Services

Should address a parent and child's strengths and needs.

Conferences

Should occur out of court and provide opportunities for parents and older youth to meaningfully participate in their case planning.



WHY 60 DAYS?

<p>The 60th day is a best practices benchmark for the trial phase of a dependency case to be complete.</p>	<p>To take advantage of the sense of urgency and optimism at the beginning of the case.</p>	<p>To set the direction of the case towards reunification from the outset.</p>
<p>While Cornerstone Advocacy should begin on day one, it can and should continue throughout the case, regardless of when a trial date is set.</p>		



FIRST CORNERSTONE: PLACEMENT

Appropriate placement eases the child's transition to foster care

- A placement that helps children stay connected to teachers, friends, and other community supports like therapists or physicians minimizes the disruption in a child's life.

Appropriate placement keeps parents engaged

- Foster parents who are willing to support a parent and child's relationship play a critical role in maintaining family ties that inspire parents to stay engaged in services.

Appropriate placement supports reunification

- A placement which appropriately supports a child's connection to family promotes reunification and eases the transition home.



SECOND CORNERSTONE: SERVICES

Poor or Inappropriate Services

may be ill-suited to the family and may create unnecessary demands on a parent who must attend programs, court appearances, and visits.

may lose legitimacy for parents and can cause them to disengage or “fail to comply.”

Creative and Flexible Services

will keep parents engaged by ensuring that the services are meaningful and manageable given the parents’ other commitments.

will move the family towards reunification more quickly by addressing their needs and building on their strengths.



THIRD CORNERSTONE: CONFERENCES

Many important decisions about a family's life are made outside court in family conferences.

- Will the family remain together?
- Will a family member become a foster parent?
- How often will the parent and child visit each week?
- Is the family ready for unsupervised visits?

However, historically there has been a disconnect between the social work sphere and the legal sphere.

- An attorney who is not aware of decisions made at a family conference may have inaccurate information or be unaware of issues arising from these conferences.

FOURTH CORNERSTONE: VISITING

Visiting is the key to parent engagement

- Visiting enables parents to continue the relationship with their children and inspires them to keep working on getting them home.

Visiting helps children cope with foster care and eventually with the transition home

- When children can see their parents often and in circumstances that make them comfortable, they can talk with the people they most need to about what has happened—their parents.
- Quality visiting can help children preserve cherished rituals, share stories from school and social life, and continue to seek advice and encouragement from their parents.

Meaningful and frequent visitation is the single best predictor of safe and lasting reunification

- Practitioners should advocate for more frequent visits with as little supervision as necessary.
- When possible, visits should occur outside the agency and include activities that mimic family life.
- ALWAYS explore Visit Hosts



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THANK YOU!

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