

PIVOT

Developing a New Practice Area Through Child-Advocacy Volunteerism

By Emily Cook

When I began volunteering as a child advocate, I was a corporate attorney, specializing in tax-exempt organizations and political law. Suffice it to say, permanency hearings, child protective services, and ad-litem advocacy were not a part of my everyday legal practice. But I was able to learn child-advocacy law through the volunteer program. And over 18 months, I got to know two siblings (one little girl and one little boy). In the process, I learned about their past and helped to improve their prospects for the future.

Two unrelated aspects of my life prompted me to begin this journey. First, my husband and I have always felt that the Lord placed it on our hearts to foster or adopt. Second, after a pretty tumultuous time in my life, I was looking for something new to focus my energies on within the community.

Court-appointed special advocates, otherwise known as CASAs, are appointed as guardians ad litem (“GALs”) to children in the foster care system. The GALs work with attorneys ad litem (“AALs”) to help the children. The goals of the CASA/GAL system are for CASAs to (1) discern the best interests of the children they are assigned to, and (2) then advocate for placements in the children’s best interests. Is it in a child’s best interest to be returned to the parents? Is termination of parental rights in the child’s best interest? In the event of termination of parental rights, are family members available, willing, and suitable to care for a child, or would he or she have to be placed in the foster care system? All of these questions, and more, are at the heart of what a CASA’s role is within the court system.

Good family friends of my parents were on the board of our local CASA organization, and I had attended several related banquets through the years. It occurred to me that serving as a CASA advocate would be a good opportunity to leverage the same analytical skills I use every day to help assure that fragile children would have the best-possible options for long-term success and stability.

As a potential foster or adoptive parent, I thought that becoming involved in CASA would be a sort of litmus test on whether I emotionally could deal with Texas Child Protective Services (CPS) and the foster process.

I started my CASA journey between the births of my two sons, so I already was juggling family and “day job” responsibilities. On hearing days, CASAs must sit and wait until their cases are called.

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Often, a CASA does not know if the case will be called at 9:00 am or 3:00 pm. Forewarned by my CASA supervisor, I dutifully packed my company hotspot and laptop, and grabbed chargers for everything, in preparation for my first hearing day. "Yep, I'll do work for my day job while waiting for my case to be called" was the plan.

But I didn't. Immediately, I was caught up in the hustle and bustle of the other GALs, AALs, CPS attorneys, and CPS caseworkers at the bench. It became obvious very quickly that, in these cases, there are a lot of cases needing GALs, and not many attorneys to fill them. In fact, in our small, rural county, it seemed as if almost every attorney in the courtroom served in one capacity or another in every single case.

I was hooked on the action. Going to court and listening to the other attorneys soon became my favorite part of the CASA experience. I thought to myself, "I need to get in there." Believe me, many of my colleagues thought I was 110% crazy for wanting to jump into such an emotionally tough, time-consuming, and non-financially-lucrative role.

After my CASA case closed and I had my second son, I decided it was time to explore the possibility of adding child advocacy law to my practice. I approached Ellis Iverson, the AAL with whom I collaborated to help the siblings, and asked her what she thought. Was it ridiculous for an attorney with little experience in family law to even consider taking on these cases? Her answer was a resounding, "Just jump in! I'll help you." How encouraging! So I moved forward.

I fully recognize the heartache, hardship, and difficult professional calls inherent in this type of work. But if -- by balancing the fundamental rights of parents with the need to safeguard children -- I can provide quality legal advocacy to just a handful of parents and children who are going through literally the worst time of their lives, I believe it's a notable contribution for me to make.

I look forward to exploring this area of the law. Like me, you may be amazed at what happens when you try something new.

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