



## RECOGNIZING ABUSED CHILDREN'S RIGHT TO COUNSEL

The fundamental rights of children are at stake in abuse and neglect court proceedings. Courts have the power to remove children from their homes, determine who they live with, for how long, and decide whether they will ever see their families again.



In most states, children do not have a recognized right to have a client-directed lawyer represent them in these legal matters.



Children with legal representation exit foster care and achieve permanency up to 3.5 times faster.

## CHILDREN WITH LEGAL REPRESENTATION

- Save the state money in administration costs and services
- Have more visits with family while in out of home care
- Are more likely to be adopted if they can't safely return home.

### CLIENT-DIRECTED LAWYER

VS

### GUARDIAN AD LITEM

The child is the client and, to the extent possible, directs the lawyer in a traditional attorney-client relationship.

The child is protected by the attorney / client privilege.

Motions and pleadings are filed advocating for the child's legal rights.

Works for the child.

The child is not represented in a traditional attorney-client relationship, rather the GAL's duty is to the court.

No attorney / client privilege exists.

No obligation to advocate for the child's legal rights.

Works for the court.