



EQUAL JUSTICE AMERICA

SUMMER 2024

EJA FELLOWSHIP RECIPIENT



NAME	Avery Graham
LAW SCHOOL	University of Pittsburgh School of Law
ORGANIZATION	The Juvenile Court Project

Update 1: As an Equal Justice America Fellow during the 2024 summer, I am working as a certified legal intern at the Juvenile Court Project. This organization is a nonprofit legal aid program created by the Allegheny County Bar Foundation. The goal of the Juvenile Court Project is to provide legal assistance to indigent parents whose children are the subjects of dependency and termination of parental rights proceedings in Allegheny County. The licensed attorneys at the Juvenile Court Project act as parent advocates, specializing in assisting parents who are accused of abusing or neglecting their children, whose children experience habitual truancy, and whose children habitually disobey their parents, are deemed ungovernable, and need care, treatment, or supervision.

In my role as a certified legal intern, I am currently observing the process of a dependency case from the time the nonprofit receives the parent-client to the potential reunification of parent and child or the termination of parental rights. Once a parent receives notice of their first legal proceeding involving the dependency of their child, the parent has the right to request an attorney to represent them. At the Juvenile Court Project, these attorneys are known as "parent advocates." The first hearing is typically in response to a shelter care application filed by a social case worker employed by the Office of Children, Youth and Families that alleges that it would be contrary to the welfare, safety, and health of the child to remain under the care of the person specified. Once the shelter care application is heard by the judge, she may choose to dismiss the petition or open a dependency matter.

Update 2: As a certified legal intern at the Juvenile Court Project, I am observing the lifespan of a dependency case from the opening of the matter to the termination of parental rights. Once a child is removed from the care of the parents by the Office of Children, Youth and Families ("CYF"), a Shelter Hearing is held within 72 hours. The Shelter Hearing addresses whether the child is in



EQUAL JUSTICE AMERICA

imminent danger. A Petition Hearing is then scheduled to be held within 10 to 30 days after the Shelter Hearing.

At the Petition Hearing, the court first addresses the adjudication of the child and then the disposition. Adjudication addresses whether the child is without proper parental care or control. The court then decides whether to adjudicate the child as dependent. If so, the court addresses disposition, which concerns whether the child should remain with the parents, be placed with a relative, or live in foster care. Once the child is adjudicated dependent and disposition is determined, a Review Hearing is scheduled to occur every three months to assess the services provided by CYF, the placement of the child, the visitation between the child and the parents, and the goal of reunification between the child and the parents. If reunification occurs, the case closes. If not, review hearings continue to occur. The termination of parental rights is contemplated at or after 15 months. A Termination of Parental Rights (“TPR”) Hearing will be scheduled approximately three to six months after a TPR Petition is filed. This hearing will determine whether the rights of the parent regarding the child should be terminated.

Update 3: As a certified legal intern with the Juvenile Court Project, I am now beginning to appear in court under the advisement of my supervising attorney. My first hearing was a Permanency Review Hearing where I represented the natural mother of the child at issue. This child was seventeen years old and was experiencing ongoing behavioral health issues. At the previous hearing, the child had been adjudicated dependent and was placed in a community-based group home for adolescents. This was due to the fact that the natural mother was unable to control the child’s behaviors that would ultimately lead to violent outbursts. It was additionally ordered for the mother and child to participate in family therapy at the child’s discretion, and for visitation to occur at the mutual discretion of both mother and child.

During the Permanency Review Hearing, I advocated for my client’s interest that the child should remain in his current placement at the community-based group home. Through cross examination of the witnesses presented by the solicitor for CYF, I presented to the court that the mother and child had been participating in family therapy, and that the mother was maintaining her efforts to visit with the child while he was placed in the group home. The judge ultimately ordered for the child to remain in his current placement, and for the mother to continue participating in family therapy and visitation with the child.

Update 4: During my time at the Juvenile Court Project, I participated as a Certified Legal Intern in six dependency hearings, including Permanency Review Hearings and Shelter Review Hearings. The clients I represented were experiencing a wide range of issues involving their children. Some parents were met with children exhibiting violent and extreme behavior, becoming a potential harm to themselves, their parents, their siblings, and members of the community. Other parents



EQUAL JUSTICE AMERICA

were struggling with their own issues regarding mental health and substance abuse. Often times parents were simply experiencing extreme poverty as is so common throughout the United States, and ultimately were unable to provide their children with basic necessities.

Parents in separate cases were often assigned similar goals, depending on the nature of each case. Due to the nature of the issues that authorize CYF involvement and bring a parent into dependency court, a requirement of parents often included the completion of a drug and alcohol assessment or mental health evaluation. Once this information is obtained, the court and all parties are aware of what level of treatment a parent needs and the parent will be monitored throughout the life of the case on what progress they're making towards their specified treatment. Other goals parents may be assigned include obtaining and maintaining stable and clean housing, participating in parenting classes, and visiting with their children in compliance with CYF guidelines. The role of a parent advocate attorney is to then assist the parent in understanding their goals and what legal outcomes may occur regarding each goal; ultimately serving as an opportunity to provide holistic legal aid to those in need.

Update 5: While participating in the Equal Justice America Fellowship, I spent the summer prior to my third and final year at the University of Pittsburgh School of Law with the Juvenile Court Project. The Juvenile Court Project is a nonprofit legal aid program created by the Allegheny County Bar Foundation to provide services to indigent parents whose children are the subjects of dependency and termination of parental rights proceedings. In my role as a certified legal intern, I observed the life of a dependency case in Allegheny County and actively participated in litigation to defend the constitutional rights of a parent to the care, custody, and control of their children.

Many parents in dependency court are indigent and face issues of extreme poverty, substance abuse, and issues with mental health. Without the assistance of the attorneys at the Juvenile Court Project, the majority of parents brought into dependency court would go without representation when they have a constitutional right at stake. Too often there existed a lack of attorneys ready to represent all parties in every case, as the mother, father, and child all required separate representation. Continuing hearings in the effort to appoint conflict counsel to every party further exacerbated the issues experienced by each family, prolonging their ability to achieve the goals required for reunification.

Working with the parents in dependency court was both challenging and rewarding. Issues that come with such an inherently intrusive area of family law can be difficult to process—parents and children experiencing addiction, mental illness, strained family relationships, violence, etc. Yet, it is an empowering feeling to handle the people experiencing these issues with a sense of care and to have the opportunity to humanize their position in a legal proceeding. And as a parent advocate, I was frequently the only person in the room advocating for the interest of the parent—



EQUAL JUSTICE AMERICA

whether the parent desired reunification with their child or not, handling the surrounding circumstances of each case with sensitivity. Empathy is the most valuable skill I have developed throughout my work in dependency court, and I anticipate using this skill to continue improving the accessibility of the legal system in my local community.