



Summer 2021 EJA Fellow:



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Update 1:

My first month at Center for Family Representation has been wonderful and exhausting, all at once. I feel like I'm getting the hang of some basic legal skills and also figuring out how to meaningfully engage with the difficult nature of our work. CFR provides free representation for parents in child abuse and neglect proceedings. The work we do with our clients brings up intense emotions for all parties involved. Each parent we interact with is being actively traumatized by the Family Court system, as well as reliving prior horrors. While our defense teams work tirelessly to do all that they can to navigate the proceedings, the options are severely limited and often slow-going. Personally, I have been assisting with a variety of tasks, from interviewing clients for affidavits to drafting motions. My supervisors go above and beyond to help me advance on my path and I only hope to be able to leave our clients and their kids a little better off by the end of my time here.

Update 2:

I learned something poignant and clarifying from one of my supervisors this week. Apparently, a motto of CFR is "Redefine the Win." I had asked, "How do we deal with all of the apparent loses?" How does one keep up their energy and faith when they really believe in the work they're doing but so rarely get favorable rulings from judges? My supervisor told me about the motto and explained that we're working on a long timeline. Most kids are returned to their parents. But most individual hearings end in denials of our applications. He explained that the beauty of this particular area of the law is that you are almost never out of options, and a loss is only temporary. I think this is great advice for a number of areas of practice, as well as in community organizing and movement spaces. Our clients need long-term, faithful representation to realize their goals and fight the child removal apparatus.

I've been working on a number of projects with very bleak prospects of any individual project succeeding. However, I'm trying to shift my perspective to reflect that we are contributing to a body of work on behalf of our clients that will cumulatively bring us closer to reuniting them with their children.



Update 3:

This week I had a phone call with a client who has been caught up in various family court cases for 3 years. I was calling to give him an update on a motion we were filing and ask for some updates from him. His child neglect case had been adjudicated a while ago, but maintaining the court-ordered visits with his children had been a tumultuous process. We were working on a motion to compel his wife to produce the kids for visits, as she had moved out of state. The motion was just one piece in a long chess game that will likely always be complicated and painful for all parties involved.

On the phone, we started talking about how worried he was about his kids and how unable to be involved in their life he felt. He was worried about the kind of life they were living, but due to the court order, he couldn't contact them directly or see them outside of weekly visits supervised by ACS. He has been having trouble finishing the "services" that the court ordered him to do, and has started but not yet completed services like anger management multiple times. During our conversation, he told me about his theories on how the recommended services don't exist to actually help or serve anyone, but instead are a function of monied interests in the city doling out contracts to various service providers. I felt honored to hear about his personal struggles and the patterns he has seen throughout his years navigating the family court system. His insights changed how I thought about the purpose of services and the reasons why they are often so poorly fitted to people who get caught up in NYC family court.

Entry 4:

On the last day of my internship, I experienced my first "win." A motion I had helped draft was the final nudge needed to convince ACS to agree to send a kid home to his mom. The mom, our client, had been complying diligently with all of the hoops ACS and the court had set up for her to jump through, but the process had dragged on for months despite her best efforts. Advising clients to bend to the child welfare system is, in my book, an ethical dilemma. However, this particular client decided at the very beginning of her case that she was going to play the game to try to bring her kid home. After completing every service recommended to her and otherwise complying with the rigamarole of court, there was still no discernible timeline for bringing her child home. I had only spoken to our client a handful of times, but witnessing her ongoing determination and devastation was almost too much to handle. We filed a motion to start an emergency hearing on the kid's removal, which forced a sort of accounting from all parties. I tried to match our client's diligence while drafting the motion, but I felt the pressure of her hope to be a heavy burden. A day after filing the final draft of the motion, ACS agreed to release the child to our client. Hopefully, our client and her child will be able to process the trauma of this experience together, as well as the trauma of the events that brought them into contact with family court in the first place. Fast, "successful" cases like these are rare - I cherish that I got to experience the joy of having played a small role in helping reunite a family. I'll be processing the experiences of working within the child welfare system for a long time to come.