



RELEASE DATE:
September 28, 2005

For further information contact:
Gina Russo, (202) 421-3578 cell
Miriam Krinsky, (323) 980-1712

Foster Children Often Voiceless in Life-Changing Court Proceedings

New national survey identifies student loan debt as a key roadblock to recruiting and retaining committed lawyers to represent children in foster care

LOS ANGELES – Too many of the over 500,000 children in our nation’s foster care system lack stable legal representation, and thus are left with no voice, in the court proceedings that profoundly affect their lives. According to a first-ever survey of children’s attorneys released today, a key reason many lawyers cannot afford to enter, or remain in, this low-paying practice area is overwhelming student loan debt. Over two-thirds (68%) of the lawyers who represent abused and neglected children surveyed currently owe at least \$50,000 in student loan debt; nearly a quarter (24%) owe \$75,000 or more.

More than 300 children’s attorneys in 43 states identified student loan debt as a major deterrent to recruiting and retaining qualified and committed lawyers for abused and neglected children in the survey conducted by the Children’s Center of Los Angeles (CLC) with the assistance of the American Bar Association (ABA) and the National Association of Counsel for Children (NACC). The survey was a project of Home At Last, a new initiative dedicated to raising awareness about the need to reform foster care and encouraging action on the recommendations of the nonpartisan Pew Commission on Children in Foster Care.

Results of the survey indicate that our most vulnerable children may end up paying the price when attorneys leave this practice area due to student loan debt. One former foster youth expressed how important it was to her that she had a long-term relationship with her attorney: “Having the same lawyer makes a big difference, because that person really knows you and you can trust them. My lawyer was the only person I trusted.”

“The survey illustrated the wide-ranging impact of student loan debt not only on the individual lawyers who seek to commit their professional talents to the needs of children, but also on the children these lawyers represent,” said Miriam Krinsky, Executive Director of Home at Last and CLC. “If foster youth are not adequately represented and left with no voice in court proceedings that will chart their future, we are failing to meet our most fundamental responsibilities to these children.”

The survey identifies three main concerns that flow from the overwhelming educational debt faced by children’s lawyers:

1. Voiceless children in foster care

All life-altering decisions for foster children, including determining whether they will remain in foster care, return to their family, have legal ties to their birth parents severed, or be adopted, are made in court. Without a knowledgeable attorney familiar with the child, his or her views and interests, these decisions may be made without adequate input from the child.

Yet there are not enough attorneys to represent the more than half a million children currently in foster care. Of those who do represent foster youth, the CLC survey found that many are unable to remain in this profession due to student loan debt.

“My caseload has seen five attorneys over the past four years...Many of my clients feel that they can’t rely on me because I’ll just be ‘gone’ soon,” stated one attorney.

“Longevity and continuity are key in our positions,” said another dependency attorney. “Most kids have adults they can rely on – our clients usually don’t...it would be tragic to have one of the few adults they trust suddenly leave and not be available anymore.”

2. The impact on recruitment and retention

The dependency lawyers CLC surveyed expressed concern about student loan debt driving people from this field, and influencing their decisions to enter it at all. “The cost of law school is climbing and climbing,” said one California lawyer. “The people who are interested in pursuing this type of law simply won’t, because they will take a higher paying job first.”

Nearly two out of three attorneys surveyed (62%) report that the current size of their student loans will be a factor in any decision to seek other employment; 40% say it will be a *significant* factor. Among those attorneys who have practiced public interest law for five years or less, a staggering 78% owe \$50,000 or more today. According to the American Bar Association, current law school graduates incur debt double that of graduates from just ten years ago

3. The effect on individual dependency lawyers

In order to make ends meet and continue in a professional endeavor that is meaningful to them, child advocates weigh important life choices according to their ability to juggle school debt. One children’s attorney confided, “My husband and I have made a choice not to have children yet because of the burden of my student loans.”

Solutions

The CLC survey underscores the need to develop meaningful policies to address the challenges attorney indebtedness creates for serving children in foster care. One solution is instituting loan forgiveness programs for lawyers currently practicing dependency law and those interested in entering the field, as well as for other committed professionals interested in devoting their careers to children.

Recognizing the financial and human costs associated with student loan debt, the Pew Commission on Children in Foster Care recommended that Congress “explore a loan forgiveness program...to attract and retain competent attorneys in the dependency courts.” The Commission also urged adequate compensation for child advocates, reasonable caseloads, and enhanced training as further incentives to encourage interested attorneys to remain in this field. The ABA and the NACC recently urged similar reforms to encourage recruitment and retention of child advocates.

“The critically important work of child advocates can be intensely rewarding, and the need to attract qualified, committed attorneys to this public interest field is ever-growing,” says Miriam Krinsky. “We need to ensure that the 500,000 children in foster care have a committed legal voice in this process, and that we are doing all we can to assure their safety and well-being.”

To view the CLC survey, please visit www.clcla.org. To interview Miriam Krinsky, contact Gina Russo at 202-421-3578 or mediaiq@comcast.net or Sharon Appel at 323-980-1700 or appels@clcla.org.

The Children's Law Center of Los Angeles is a nonprofit organization that represents more than 20,000 abused and neglected children in the Los Angeles dependency court system. For more information about CLC visit www.clcla.org.

Home At Last, supported through a grant by The Pew Charitable Trusts to Occidental College, seeks to facilitate education, outreach and action on the recommendations of the nonpartisan Pew Commission on Children in Foster Care. For more information about Home At Last, visit www.fostercarehomeatlast.org.