



Paralegals are Key in PA

Permanent Homes for Foster Children

By Natalie Witt, Esq.

EDITOR'S NOTE: *Facts & Findings* ordinarily avoids publishing articles on matters of law that are state specific. This piece about Pennsylvania's Legal Services Initiative, however, offers an excellent example of the power of paralegals that other states may wish to emulate. Dedicated paralegals are key members of the legal team working to place foster children into permanent homes. This is the only program of its kind in the nation—so far.

The process of acquiring permanent homes for children in Pennsylvania's foster care system has been significantly accelerated by an award winning program that relies heavily on skilled and dedicated paralegals. The state's Legal Services Initiative (LSI) program currently has 17 paralegals positioned in 14 counties.

Funded by the Department of Public Welfare's Statewide Adoption and Permanency Network (SWAN), the procedure begins with paralegals and LSI staff identifying and removing legal gaps and barriers in foster children's cases so the process of achieving permanency can proceed without delays. The paralegals are trained and placed within the counties' own child welfare agencies to support the necessary legal work.

By design, the paralegals' roles within each county varies and is tailored to meet the needs of that county. Paralegals are supported by the LSI Steering Committee, the knowledge and resources of Pennsylvania's Department of Public Welfare, Office of Children, Youth and Families and by

Diakon/Family Design Resources, the primary contractor for SWAN.

A county paralegal acts as liaison between the county case worker, the county attorney and the court. As the liaison, the paralegal maintains close communication with caseworkers and regularly updates the attorney on the status of each child's case.

In many of Pennsylvania's county agencies, attorneys work part time while maintaining their own practices. Turnover is often high for caseworkers, so many are both new to the position as well as to the legal process of getting a child to permanency. This common pattern can result in significant delays when attorneys struggle to complete the work, and new caseworkers are challenged to learn what is needed. Meanwhile, a child waits for a permanent home.

By eliminating these barriers, the LSI paralegals have made a tremendous impact. Following a case from start to finish, a paralegal can update new staff, prepare necessary documentation, meet with the attorneys, and expedite the execution of required signatures. Each county is

unique in its structure, and the paralegals' daily activities vary accordingly.

Common activities include preparing and filing petitions, handling diligent searches to locate a permanent resource for the child, and preparing exhibits for court. They may also attend and assist in court, prepare subpoenas and hearing notices, and attend local Children and Youth Services meetings. Training county workers to update them on current child welfare laws that affect daily practice is also an important part of their duties.

The LSI program has also forged strong relationships among its own group of paralegals, and this has become one of the strongest assets for the program. Successes in their respective counties can often be transferred to work in other counties, thus fostering a statewide collaboration of best practices. The paralegals gain a broader perspective from the connections they have with each other than they would likely be able to make working alone in their assigned county.

As an extension of sharing success stories, the paralegals are often asked to provide their thoughts to the LSI "Warm Line." This is a legal hotline for all legal inquiries received through our network. The line is based at our offices and can also be reached through our Web site, which is accessed through a link at www.diakon-swan.org.

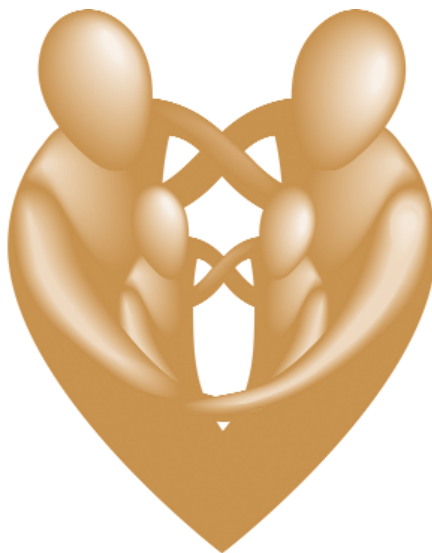
When a question comes into the Warm Line, research is first conducted by LSI attorneys to determine which existing law, regulation or legal opinions are relevant to the question posed. Paralegals are often presented with questions for their feedback because they are in the field and may have experience with the specific issue, or a similar matter. This is a wonderful resource for the LSI Warm Line, and callers truly appreciate their input.

Although the law may dictate requirements that agencies or parties must comply with, many counties are unique in how they apply the law. It helps to have paralegals in

the various counties to provide insights.

In 2005, the LSI paralegals collaboratively prepared a *Diligent Search Packet** that they now use as a fundamental resource. Information in this packet helps them locate missing parents and potential permanent connections for the children. The packet includes the most successful search tools and resources that a worker of any experience can use to pursue a search request.

The packet was updated in 2006 to include a section on international searches, and the paralegals update the packet each year to include the newest tools or laws



that impact searches. Several new sections are planned for the packet, including a section on the *Indian Child Welfare Act* as it pertains to searches.

It is through hard work and diligence that this packet helped Pennsylvania meet the national standards set for locating missing fathers and promoting kinship placements, and was a factor in LSI receiving a 2005 Adoption Excellence Award from the US Department of Health and Human Services.

In 2003, LSI began fielding all search related calls received by the network. As a result, LSI created the *Adoption Search Manual* to assist adoptees, birth parents,

adoptive parents, siblings and others in searching for their biological roots or reunification with their birth family. Although LSI does not provide reunification services, it does provide callers with the necessary steps to help with their own individual searches.

A high number of recent court orders have required that counties assist with adoption searches. The paralegals assist in the process by reviewing the files, doing diligent searches and providing their results to the county representative who handles reunification efforts. With the assistance of the LSI paralegals, counties have connected many people with their biological families and helped create larger extended families.

The LSI team is a positive example of how paralegals make tremendous differences in the lives of many. It is the combination of individuality and teamwork that enhances the success of LSI throughout Pennsylvania's participating counties, and it is through each paralegal's dedication that they touch the hearts and enhance the lives of many children waiting for permanent families.

*Both the *Diligent Search Packet* and the *Adoption Search Manual* may be downloaded from the LSI page on the Diakon-SWAN Web site at www.diakon-swan.org.

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