

Recommendations for Anti-Racist Legal Representation



The Family Justice Initiative (FJI) developed these recommendations by gathering insights from youth and parents with lived experience and members of multidisciplinary teams focused on client interactions with the legal system. Through these interviews, FJI identified six key recommendations for anti-racist legal representation. Each recommendation is paired with powerful quotes that illustrate the impact of anti-racist practices in action. We invite you to explore these insights and consider how these recommendations can be integrated into your practice to uphold anti-racist principles effectively.

For additional resources and information, including the [Anti-Racist Lawyering in Practice webpage](#), visit the [FJI website](#).

**Respond to Parent,
Youth and Family Needs
as We Define Them**



**Model Patience
and Kindness**



**Ensure Client
Communication Meets
Our Client Needs**



**Recognize My Voice and
Identity and Don't Take
My Power**



**Seek and Respond to
Our Input on Home
Preferences and Family
Connection**



**Hold Government
Agencies Accountable
to Us and Our Families**



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#1 RESPOND TO PARENT, YOUTH AND FAMILY NEEDS AS WE DEFINE THEM

Perspectives from Lived Experience

- “Be more mindful of people’s financial situations. For example, rent. The foster care system doesn’t determine rent, it doesn’t determine where you live, it doesn’t determine wages. But those are all factors that we use to examine people. There are lots of threats to reunification such as housing, transportation and a lack of resources that all stem from access to money.
- “People can’t comply with the laws if they don’t know them. We have to find a way to teach people about the consequences of certain behaviors which are often steeped in how they were raised.
- “Be more sensitive about [parents’] financial situation and what the criteria we require for a parent to be considered ready for reunification. I had a case where the GAL said that the mother should take her kid to Disney World. Going to Disney World is a privilege, it is not a necessity. To live, I don’t need to go to Disney. I want to go, but as a system, that’s not a criteria we should use to judge parents or to say when they are ready for reunification. Most of the time these people [who make these recommendations] don’t look like me. That case ended in TPR.
- “Don’t be too quick to just put a mental health diagnosis on kids requiring them to go on medications. Some children may just be missing their parents, siblings and families and that is why they are acting out.
- “I was a victim of domestic violence so leaving that relationship and finding a job while having to complete a case plan was extremely overwhelming to me. I didn’t have any support from a mentor or advocate. The timeline was unworkable. By the time I was ready to start doing something, I was out of time and my kids were already on their way to adoption. We need to give parents the time to get their lives together. Parents have so much to overcome that they can’t do it in six months.

#1 RESPOND TO PARENT, YOUTH AND FAMILY NEEDS AS WE DEFINE THEM

Recommendations

- Be mindful of identity, intersectionality and experiences of oppression that a client may express facing throughout engagement with the system.
- Focus on understanding the reasons behind a family's circumstances rather than just the events themselves to better support their actual needs and goals.
- Communicate with honesty and transparency, even when the truth may be difficult, and explain the law and legal process in plain language so families are fully informed and understand their rights.
- Advocate zealously for families, centering legal representation on their expressed needs and perspectives. This includes recognizing that poverty is not neglect and, when appropriate, challenging agency recommendations.
- Remain aware that family needs and perspectives may evolve over time, and be attuned to each client's identity, lived experiences, and any systemic oppression they may face throughout their engagement with the system.



#2 MODEL PATIENCE AND KINDNESS

Perspectives from Lived Experience

- “Be patient with kids because some of our behaviors stem from being in foster care.
- “Judges need to be caring and respectful. You are making decisions and recommendations about people’s lives, people you have never met before and you are placing children in group homes you have never been to.
- “Be mindful of how our interactions are perceived. I’ve seen everyone act like they hate each other in the courtroom only to share an edible arrangement after court is over.
- “You see the difference in treatment so clearly when it comes to drug use. With white parents, you see the patience from case managers offering safety plans and doctors offering to help them stop their drug use. On the other hand, Black moms who smoke marijuana end up having their children removed and placed in foster care.
- “Resources given to parents in my neighborhood are going to be really different from those given in the white neighborhoods, depending on those zip codes.

#2 MODEL PATIENCE AND KINDNESS

Recommendations

- Treat all families with patience, kindness, and respect, regardless of race, culture, or ethnicity, recognizing the disparate harm often experienced by youth and families of color.
- Avoid forming judgments based on reports or hearsay—take time to get to know parents and children as individuals.
- Actively listen to children about their needs and wants while in care and demonstrate that their voices are being heard and considered.
- Understand that parents and children are watching how you interact with others.
- Practice with cultural humility by committing to ongoing self-reflection, recognizing intersectional identities, and fostering inclusion and belonging in every interaction.



#3 ENSURE CLIENT COMMUNICATION MEETS OUR CLIENT NEEDS

Perspectives from Lived Experience

- “If a social worker pulls a child out of their class, then the case is no longer confidential.
- “I really didn't speak to my attorney much. We didn't have conversations, it was just court hearings and that's it. Now that I work on an interdisciplinary team, I really advocate for my parents to have good, positive relationships with their attorneys because I didn't know how important that was when I went through it. I thought attorneys were just there to work for the system too.
- “A lot of clients just hear from their lawyers near the court date and the clients don't feel like they can reach out to them in between.
- “I have seen attorneys in the courtroom who forget their client's face and name. If we are trying to do better as a system then high quality legal representation needs to be at the top of the list.
- “My second attorney was so different. She was so informative and always let me know what was going on with my case and advocated for me when things needed to be addressed or changed.
- “When you have an attorney who is really advocating for you and listening to you, it makes a huge difference.
- “I have seen attorneys here go to shelters and home visits to meet with their clients when the clients don't answer phones. They really communicate and get back to clients.
- “How can someone fight for you if they don't know you?

#3 ENSURE CLIENT COMMUNICATION MEETS OUR CLIENT NEEDS

Recommendations

- Give more time to parent clients.
- Communicate regularly with clients—not just when you need information—and take the time to build trust and show respect for their perspectives, even when case outcomes may not align with their wishes.
- Tailor communication to each client's needs by establishing clear expectations around contact methods, responsiveness, and any limitations, while avoiding judgment about how clients express themselves.
- Prioritize genuine listening over rushing or dominating conversations; demonstrate compassion, authenticity, and a willingness to understand what clients have experienced.
- Create safe, respectful environments for communication. For example, avoid interviewing children in settings like schools where it may cause embarrassment or unwanted attention.
- Take time to build rapport with clients. Trust building is important and understanding what a youth or parent has been through takes time before they will open up and talk with you.
- Listen. Listen. Listen! Instead of focusing on just being heard or asking certain questions, make sure to listen to your client. It is so clear when an attorney is in a rush and not really listening to what their client is saying. Make sure to have compassion for your client and make space to build a genuine connection and be authentic with your client.

#4 RECOGNIZE MY VOICE AND IDENTITY AND DON'T TAKE MY POWER

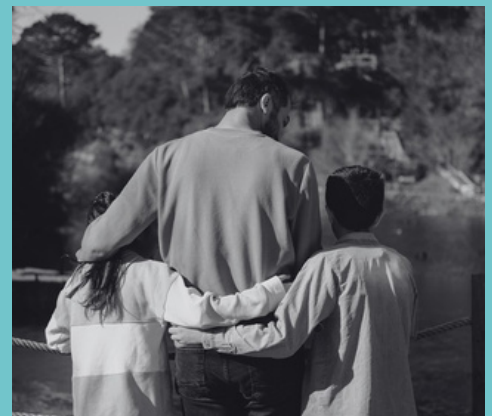
Perspectives from Lived Experience

- “Ask me about my identity and what defines me and is important to me.
- “Understand my identity is that I am a mother.
- “I believe I was treated like I was ghetto and like I had a bad attitude, which at times I did have. I had a therapist who said, ‘As a Black girl from Richmond, I know you are angry and have anger management problems.’ How likely do you think I was to share, confide and work with this therapist?
- “After I was removed from my mother the teachers and kids identified me ‘a foster child’ and teachers remarked, ‘of course, we should have known.
- “If you want to learn about my culture, ask me a question about my culture. Why don’t you believe what I believe in my brain or what I know in my brain about my own culture?
- “Lawyers who aren’t Black need to educate themselves on their own bias and microaggressions to be able to identify them and challenge them when they are being implemented.
- “There are lots of ways to help connect us more to those traditions we were brought up with, such as Chinese New Years for those of us who are Chinese.
- “The first attorney I had didn’t call until the day right before a court hearing. He used to tell me not to say anything in court...It shows when the attorneys are there for the client versus when they are just there to get to the next job. With my [next] attorney, I always felt heard and listened to.
- “It's the removal that did not take my identity into account at all. The majority of my identity was being a mother [...] going through that traumatic process without your identity being recognized and without it being recognized as a positive or as proof of connection to your children, but instead it’s recognized as a deficit, it’s demonized. The grief, loss, and trauma of losing that part of your identity is not recognized either.

#4 RECOGNIZE MY VOICE AND IDENTITY AND DON'T TAKE MY POWER

Recommendations

- Support clients in expressing themselves fully, even if they are not “polished.” Don’t get in the way of them using their voice to say what they need to say, to feel heard.
- Acknowledge on the record all the ways that parents are trying and ensure to ask the right questions to clients to elicit the most accurate and full amount of information.
- Recognize that being in foster care has its own identity implications and can be used as a label by others in unfair ways.
- Actively challenge and correct racist or biased language, microaggressions, and harmful labels used by others when referring to your client; language matters, and advocacy includes pushing back against stigma.
 - Confront derogatory terms, labels, racist inferences, and denials or invalidation of experiences.
- Help empower clients to exercise their rights within the system—such as speaking in court, citing legal protections, filing motions, or accessing tools like an agency ombudsman—to build their confidence and agency.



#5 SEEK AND RESPOND TO OUR INPUT ON HOME PREFERENCES AND FAMILY CONNECTION

Perspectives from Lived Experience

- “Taking my opinion into account makes me feel validated, that my opinion is valued.
- “It was so important to have some form of relationship with my family, even if it was just through visits. Otherwise you get lost and lose your connection to your roots.
- “I am eternally grateful that my own family stepped up for me. It made a huge difference that those caring for my children never made me feel bad and they had faith that I would get my children back.
- “After my case closed, I was introduced to various family members and realized that one of my foster homes was on the same block as a relative.
- “Everyone has some kind of village or support surrounding them. It may not look like your village or what you think a village ought to look like, but I have the support systems in place.



#5 SEEK AND RESPOND TO OUR INPUT ON HOME PREFERENCES AND FAMILY CONNECTION

Recommendations

- If a removal has occurred, ask youth clients who they feel most comfortable at home with and why (without presenting any preconceived notions or biases) and remain open to changing preferences over time.
- Don't be afraid to ask them questions about how it would feel to live in a home with strangers who have a different ethnicity, cultural background, or religious preference. Recognize the importance of this information as a key part of meeting their needs.
- Be honest about placement limitations while still showing that every effort is being made to honor the child's preferences and find the most suitable, supportive home environment.
- Prioritize meaningful placement preferences by first considering parents for custody, followed by kin, then foster homes—avoiding group homes whenever possible.
- Consistently pursue family finding and connection efforts, including exploring placements with relatives or fictive kin, and recognize the potential in parents to grow and reunify.

#6 HOLD GOVERNMENT AGENCIES ACCOUNTABLE TO US AND OUR FAMILIES

Perspectives from Lived Experience

- “If a mother is late, she is penalized but if the agency is late it’s acceptable.
- “The system is removing our children due to issues that should be rights for every person. Those same dollars we take and use for foster care – paying the foster parent, paying for free child care, free transportation – if we could just flip that on its head and pay to keep that child home – pay for child care, help the mother with her rent – these real and tangible solutions recognize the humanity of the people involved in the system.
- “Time is so limited at treatment centers. It feels like they just want to get people in and out and not hear their stories and understand them. Service providers often don’t show the compassion that parents need.
- “If the government needs to pay for services to help a family they should be ordered to pay. It isn’t fair to keep children and parents separated when the answer is financial, not neglect or abuse.
- “I see it all the time that Black and Brown parents don’t get visits for one reason or another and no one makes a fuss.
- “I didn’t get the right treatment throughout my case. I was undocumented at that time and being undocumented made it harder for me to get services. Very few resources were available for undocumented people.
- “I love to see motions to show cause. Ask yourself what is supposed to happen that is not happening. Holding people accountable on every level and being able to challenge it is key.

#6 HOLD GOVERNMENT AGENCIES ACCOUNTABLE TO US AND OUR FAMILIES

“If there is a housing shortage, a job shortage, all these different things, why are we still holding individuals accountable for systemic failures? I grew up in deep, deep poverty, in one of the worst projects in the city. How is it my mother’s fault that there is zero generational wealth in our family? How is it her fault that I will be one of the first in my family to go to college? Is that not the system’s failure?”

“In the future, the system will be looked at as completely racist. Regardless of whether you have Black people at the helm and Black professionals in the system, you’re still perpetuating this racism.”

Recommendations

- Note on the record when agency professionals fail to fulfill their duties, cause harm, or are absent or unprepared in court.
- Ensure that services—such as therapy and treatment—are truly supportive and tailored to each client’s needs, taking into account financial limitations, cultural background, and accessibility.
- Identify and challenge the ways structural issues of poverty, cultural customs, and racism play out in individual cases.
- Confront racism, white supremacy, and institutional bias directly, regardless of the source. These conversations may be uncomfortable, but they are essential.
- Consider the impact this may have. Acknowledge that government agencies often operate within structurally racist systems and practices, and consider how those dynamics may harm clients.
- Hold agencies accountable to a mission of prevention and calling out when poverty is confused as neglect by government agencies.

Next Steps

We hope this resource has supported your ongoing journey toward stronger anti-racist practice. For continued growth and reflection, we encourage you to explore the tool [**Raising Awareness of Bias and Racism: Questions for Attorneys.**](#)

You can also find additional materials on the FJI Website, including the [**Anti-Racist Lawyering in Practice**](#) resource collection. We invite you to engage deeply, reflect critically, and keep building toward more just and equitable advocacy.

