

PARENTS' EXPERIENCES IN THE DEPENDENCY  
COURT SYSTEM

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of  
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CERTIFICATION OF APPROVAL

PARENTS' EXPERIENCES IN THE DEPENDENCY  
COURT SYSTEM

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## DEDICATION

*“Con trabajo y esfuerzo se pueden conseguir muchas cosas, pero tener el amor incondicional y sincero de nuestros padres es algo que no se consigue ni con todo el oro del mundo.”*

I dedicate this thesis to my children that the Lord will one day place in my care. *I want you to know that the Lord has wonderful plans for your life. I pray that God guides me to be a great mother who nurtures you, guides you and loves you like God loves me.* I dedicate this thesis to my parents, Ricardo Sánchez and Yolanda Sánchez. They are my best friends, my confidants, and my pieces of heaven on earth. You are perfect examples of hard work and perseverance in my life. Thank you for your prayers, your selfless love, patience and support. *Son los mejores papas del mundo! Gracias por amarme y estar a mi lado en todo momento. Los adoro!* This thesis is also dedicated to Alexa Sánchez, my beautiful sister, and my “little big bro” Christian Sánchez. I would not have been able to reach this milestone without your love and support. Your love brings joy into my life and your smiles inspire me each day. *I am so proud of you two!*

This thesis is also dedicated to anyone who is pursuing a career in a helping field and those who already work with parents in the dependency court. *May you never lose your sensitivity to the injustices of those who suffer in our society, break through with power and humility. Touch hearts, inspire minds, and advocate for positive change.*

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## ABSTRACT

The purpose of this study is to explore the phenomenon of the dependency court process in Child Welfare from the parents' perspective. The research question that guided the study is the following: What are parents' experiences as they navigate the dependency court system in child welfare? A phenomenological, qualitative research approach was used in order to understand the participants' experiences and perspectives. For the purpose of data collection, one-on-one interviews were conducted with 8 parents who have attended the detention, jurisdiction, and disposition hearings. Themes were identified as a result of listening to parents' perspectives and experiences. Conclusions are stated as a conceptual framework that represents parents' perspective on what their lived persistent meaning of the dependency court experience is. This study is intended to bring awareness and a greater sense of the importance of a positive dependency court experience in a parent's life. It can serve as a starting point for discussion and change in regard to giving parents a voice, hiring staff who are devoted to providing the support and understanding what these parents need, and providing professional development for social workers and other professionals. Implications for future research and policy change are also presented.

## CHAPTER I

### INTRODUCTION

The phenomenon of parent involvement in dependency court has been widely discussed in the literature; however, there is a lack of research on parents' perceptions as they navigate the dependency court (Needell, et al., 2014). In California there are currently 62,605 children in foster care (Webster, et al., 2016). These high numbers of children in foster care indicate the need to understand parents' experiences in the dependency court in child welfare. The hundreds of decisions made in the dependency court regarding the life of a child and a parent impact our society as a whole (Fraidin, 2013).

Parents' experiences in the dependency court are missing in the research that is available. Most studies look at parental participation in the dependency court, parents' ability to reunify with their children through court compliance, parents' perception of their own actions that led to the removal of their children from their care, social workers' perception of parents, or the multiple interlocking problems that exist in the lives of parents (Alpert, 2005; Ayon, 2004; Leathers, 2002; Wattenberg, Kelley & Kim, 2001).

This study explores the dependency court process from the perspective of a biological parent. It also seeks to understand how those experiences impact a parent's life. By exploring the experiences and perceptions of parents, this study brings awareness of the importance of a positive experience in the dependency court and

serves as a channel for discussion and change in regard to giving parents a voice and providing professional development for social workers. Furthermore, implications for additional research will be presented.

### **Statement of the Problem**

The child protective services (CPS) system is a relatively new part of government that was initiated in the 1960s. CPS receives and investigates reports of child abuse and neglect. This system of government has grown rapidly; in 1967 there were fewer than 10,000 reports of abuse made; by the mid-1990s there were more than three million reports being made each year (Waldfogel, 1998). According to the U.S. Department of Health and Human Services, Administration for Children, Youth and Families, there were 415,129 children involved in the foster care system nationwide as of September 30, 2014. In more than 80% of the cases the parent was the perpetrator (Child Abuse Facts, 2015). In 2015, 60,898 children were waiting to be adopted after the termination of parental rights for all living parents (AFCARS, 2015). Along with the increase of reports being made comes the increased need for parents to be involved in the dependency court process.

The dependency court is part of the juvenile court that handles child maltreatment cases. The dependency court proceedings include the detention hearing, the jurisdictional hearing, and the dispositional hearing. According to Block, Oran, Oran, Baumrind, and Goodman (2010) parents who are mandated to be present at each hearing are less critical than parents who are not mandated to attend court, ask fewer questions, and feel less empowered to have a voice in their dependency case

not only because these parents have a high probability of coming from low economic backgrounds but also because the majority have low high school graduation rates. Within the legal system, less knowledge often predicts more negative attitudes about the system. Altman (2005) and Yatchmenoff (2005) state that parents report that their most pressing needs are overlooked or inadequately addressed by child welfare services.

Brown (2006) states that child welfare involved parents have few tools to be actively involved in the dependency court process. A majority of child welfare involved parents lack the ability to communicate effectively, they do not have research skills to rely on when they need resources, they have difficulty in effective problem-solving in the face of difficult situations, and they do not have the knowledge of institutional policies and practices. According to Brown (2006), the lack of skills and knowledge make it difficult for parents to be able to successfully navigate the complex services and systems in child welfare.

Social work is about recognizing, analyzing, challenging, and changing existing paradigms. “Paradigms shape and are shaped by values, knowledge, and beliefs about the nature of our worlds” (Schriver, 2011, p. 8). Society’s views of parents in the dependency court are shaped by the values, knowledge, and beliefs of its members. Part of the problem is that people are unaware that personal views and knowledge or lack of knowledge many times create assumptions. This notion is important because this study will help the reader understand the current realities of lived experiences and “what it means to be human” in regards to experiencing the

dependency court (Schriver, 2011, p. 21). Many people have never experienced stepping foot in a dependency courtroom yet the assumptions based on the paradigms that have been created are not based on trying to understand parents but they are a reflection of what is believed to be true about child abuse, the dependency court, and the parents who are involved.

Dependency court involved parents, unfortunately, do not have the same amount of power and control over what the paradigm that is created of them looks like. The efforts to change paradigms involve conflict and struggles. This research hopes to “enrich, alter, or replace existing paradigms by including the voices and visions, values, beliefs, ways of doing and knowing” of parents that have usually been left out of the paradigm building that has taken place (Schriver, 2011, p.28).

Higher education continues to be based on a “modern, secular, liberal, scientific model of empiricism and interpersonal objectivity, requiring critical, detached scrutiny that assumes the investigator is separate from the subjects studied” (Schriver, 2011, p. 37). This view is detrimental to working with parents in the dependency court process. Through an interpretive, hermeneutic approach this research will seek to understand the meaning of human experience “taking us beyond the realm of traditional scientific approaches to knowledge building. They will take us into the everyday worlds in which the people with whom we work actually live their lives” (Schriver, 2011, p. 37).

This research goes from a “detached observation characteristic of science to an expressive kind of involvement with the participants” (Schriver, 2011, p. 60).

Understanding the meaning of experience is accomplished when we tell our stories. Part of the purpose of life is creating meaning as we live each day (Hawkins, 1988). Most importantly, this researcher hopes that readers are “encouraged to observe and to understand their own preconceptions and take into account their own values” (Dean & Fenby, 1989, p. 48).

### **Statement of Purpose**

The purpose of this study was to explore the phenomenon of the dependency court process in Child Welfare from the parent’s perspective. The research question that guided the study was: What are parents’ experiences as they navigate the dependency court in child welfare?

This study was an attempt to learn about parents’ perceived influence of their experiences in the dependency court on their lives. Therefore, a qualitative research design was appropriate in order to create the meaning of an experience from the views of the participants (Creswell, 2003). Specifically, a phenomenological-oriented, qualitative research approach was used in order to understand participants’ experiences and perspectives. By using the phenomenological approach this research was able to emphasize an interpretive understanding of the human interaction, rather than only studying the human behavior itself (Bogdan & Biklen, 2003). The in-depth approach of interviewing allowed the participants to reflect and describe their experiences and explore their perceptions.

### **Significance of the Study**

Why is it critical that social workers and other professionals who work with parents in the dependency court care about parents' perceptions? Why should the welfare system understand how a parent's dependency court experience impacts a parent's life? It is important because given the weight of evidence pointing to the importance of parental participation in dependency court; the more that is known about the experiences of parents going through this process, the more empathetic and effective social workers, attorneys, judges, and other professionals that work with them can be. Equipped with this additional knowledge, social workers and other professionals will be better able to help parents to access resources and correctly interact with parents as they go through possible changes in behavior during the dependency court process.

It is hoped that this study brings awareness to professionals working in child welfare about the great importance of a positive dependency court experience in a parent's life. This study serves as a catalyst for discussion and change in regard to giving parents a voice and a sense of dignity and worth. It also aids in hiring staff that are devoted to providing the support that these parents need in addition to providing professional development for social workers and other professionals who work with this population.

This researcher hopes that the study also advances social justice. This research does not justify the abuse or neglect on behalf of parents, but highlights their humanity and their right to equal and fair treatment. The process of sharing personal

experiences and analyses of these experiences results not only in more fully understanding the world around us, but it can result in joining with others around us to transform that world to allow ourselves and others more opportunity to reach our human potential (Schriver, 2011).

This study attempted to gain a deeper understanding and empathy regarding the parents' lived experiences. While some studies have focused on parents' behaviors in court from the perspective of social scientists, there is a noticeable lack of in-depth research concerning the parents' perceptions and experiences in the dependency court from the parents' own perspective.

This research hopes to help people understand more completely the past perspectives, current realities, and future possibilities through the viewpoints of parents in the dependency court process. It is rather hard for people to understand when we do not know what people have to experience. When we have this understanding and this knowledge that can only be obtained by parents who have experienced what it is like to have to attend a dependency court proceeding, we will be able to operate in a true partnership with them. It allows us as social workers to incorporate their strengths, and it provides us an opportunity to use social work knowledge, skills, and values along with those strengths in our practice interactions (Shriver, 2001).

Child welfare involved parents experience a variety of negative emotions and constantly battle stigma. Therefore, as social workers we must learn to listen to, respect, and effectively respond to the voices and visions that the people with whom



we work have to contribute to their own well-being and to the common good of society as a whole (Scholte, Colton, Casas, Drakeford, Roberts, & Williams, 1997; Schriver, 2011).

### **Positionality**

The qualitative research approach is influenced by the design and conduct of the study based on the researcher's own personal perspectives and values (Rubin & Rubin, 2005). As a daughter I have seen the selflessness of my parents as they always put their children first. Day after day they model the best behaviors and instill values and morals that have helped me be a better person today.

Phenomenologists believe that the researcher cannot be detached from his or her own presuppositions and that the researcher should not pretend otherwise (Hammersley, 2000). An epistemological position describes the way the researcher sees the world. An epistemological position influences how we do and interpret research. Therefore, I believe it is important to state my position, in order to lay a clear foundation for academic discourse with other scientists.

My epistemological position regarding this study I undertook can be formulated as follows: Prior to my interaction with these parents in dependency court, I found myself placing judgments on parents who had any sort of contact with child welfare due to allegations of child abuse and neglect. I assumed that these parents were bad, incompetent, and selfish. However, I was very wrong. Parents involved in the dependency court have made bad choices, but as a researcher who has spent a great amount of time working in the dependency court unit working with parents, this

researcher came into the study with a certain advantage in connecting with parents and their struggles in trying to understand the complex dependency court system.

The dependency court is certainly a phenomenon that not even social workers or attorneys seem to understand in its entirety. In a world full of assumptions and pre-judgments, I hope that this research creates empathy, and encourages people to dig deeper into what we do not know before assuming based on pre-conceived notions of what we believe to be true. More detailed relevant information such as my personal background, attitudes, and values is discussed in chapter three.

## CHAPTER II

### LITERATURE REVIEW

#### **Overview**

The goal of the dependency court in the child welfare system is to protect the best interest of the child. This chapter has three main objectives. (a) To present the theoretical frameworks that guide the interpretation of the parents' dependency court experiences in this study; (b) To paint an overview of the child abuse and neglect system and introduce the reader to relevant legislation; (c) To provide a comprehensive review of the literature in regards to the following factors:

Background of child welfare involved parents, stigma associated with being a parent in child welfare, and therapeutic relationships with parents in child welfare. These various factors need to be considered in an effort to understand parents' experiences in the dependency court and seek the best interest of children.

#### **Theoretical Considerations**

Social Constructionism is the primary lens through which this study is viewed. Social Constructionism is a term attributed to Peter L. Berger and Thomas Luckmann in the 1960's (Berger & Luckmann, 1967). It was developed as a means to view the development of meanings through social interactions and how understandings are created through the process of social interactions, contexts, and a "community of understanding" (Cottone, 2007, p. 193). The foundation of this theoretical orientation is that knowledge is acquired through individuals' lived experiences and how those

individuals interpret and define those experiences, within their own context and through the lens of all of their other life experiences. Berger and Luckmann further explain Social Constructivism . . . (as cited in Appelrouth & Edles, 2008, p. 561)

Indeed I cannot exist in everyday life without continually interacting and communicating with others. I know that my natural attitude to this world corresponds to the natural attitude of others, that they also comprehend the objectifications by which this world is ordered, that they also organize this world around the “here and now” of *their* being in it and have projects working for it. I also know, of course, that the others have a perspective on this common world that is not identical with mine. My “here” is their “there.” My “now” does not fully overlap theirs. My projects differ from and may even conflict theirs. All the same, I know that I live with them in a common world. Most importantly, I know that there is an ongoing correspondence between *my* meanings and *their* meanings in this world, that we share a common sense about its reality.

This study will also be viewed through the Social Dominance Theory. The child welfare system is a bureaucracy, hierarchical in nature, and consists of judges, attorneys, caseworkers, court workers, and families. The Social Dominance Theory, developed by Sidanius and Pratto (1994), focused on hierarchies of power and “postulates that societies minimize group conflict by creating consensus on ideologies that promote the superiority of one group over another” (Pratto et al., 1994, p. 741).

The Theory of Social Dominance fits with the need to interpret the participants’ experiences through their interactions with others and to provide another lens to explore meanings. The two theories presented provide multiple lenses by which to view the participants’ interactions with the system and other professionals who were a part of their dependency court experiences. The researcher has chosen to

look at the participants' experiences and interactions through these theories in an effort to gain a more complete view of the parents and their unique experiences.

### **Federal Intervention in Family Relationships**

The dependency courts in California continue to receive an increase in cases that stem from allegations of child abuse and neglect. From the need to protect children from maltreatment, the dependency court developed a system of intervention into the family to protect abused and neglected children. In *Prince v. Massachusetts* (321 U.S. 158 (1944)), the Supreme Court of the United States confirmed the State's authority to intervene in family relationships to protect children (Ventrell, 1988). In 1974, Congress passed key Federal legislation, the Child Abuse Prevention and Treatment Act (CAPTA). This act gives states funding to investigate and provide child abuse prevention services. CAPTA defines child abuse and neglect as: Any recent act or failure to act on the part of a parent or caretaker, which results in death, serious physical or emotional harm, sexual abuse, or an act or failure to act which presents an imminent risk of serious harm (CAPTA Reauthorization Act of 2010 (P.L. 111-320), § 3.).

Penal Code Section 11164-11174.3 is California's Child Abuse and Neglect Reporting Act. "Sexual Abuse" means "sexual assault or sexual exploitation such as rape, statutory rape, rape in concert, incest, sodomy, lewd or lascivious acts upon a child, oral copulation, sexual penetration, and/or child molestation" (Penal Code 11165.1).

“Neglect” is defined as the negligent treatment or the maltreatment of a child by a person responsible for the child’s welfare under circumstances indicating harm or threatened harm to the child’s welfare (Penal Code Section 11165.2). The term “Neglect” includes both acts and failure to provide on the part of the parent. There are two types of neglect. (a) “Severe Neglect” means the negligent failure of a person having the care or custody of a child to protect the child from severe malnutrition or medically diagnosed nonorganic failure to thrive. “Severe” neglect also means those situations of neglect where any person having the care or custody of a child willfully causes or permits the person or health of the child to be placed in a situation such that his or her person or health is endangered, including the intentional failure to provide adequate food, clothing, shelter, and/or medical care. (b) “General Neglect” means the negligent failure of a person having the care or custody of a child to provide adequate food, clothing, shelter, medical care, or supervision where no physical injury to the child has occurred.

In 1997, congress passed the Adoption and Safe Families Act of 1997 (ASFA; Public Law 105-89). The ASFA requires parents and children to be legally represented; it includes provisions for state funding of child welfare and adoption; and it sets state performance requirements. This Act is important because it is intended to promote timely decisions while clarifying “reasonable efforts” and continuing “family preservation.” This Act also includes continuation funding for court improvement, which is relevant to this study. The Court Improvement

Programs Formula Grants assist state courts to improve the court's oversight responsibility for child welfare cases.

As part of the Deficit Reduction Act of 2005 (P.L.-109-171), Congress authorized two new child welfare-related Court Improvement Programs Grants. The first grant is to assist state courts with training and education. The second grant is to assist state courts with data collection and automation. Twenty-nine million dollars in mandatory funds was made available for distribution to state courts annually (P.L.-112-34).

### **Child Maltreatment Statistics**

According to the California Child Welfare Indicators Project, the general child population in California has decreased from 11,012,725 children in the year 2010 to 10,767,472 children in the year 2015. Although the general child population in California has decreased, there has been an increase of children with alleged allegations of child abuse and neglect. This increase in numbers indicates that more people are having contact with Child Protective services over the years.

In 2013, the child population in California was 9,104, 860 children. Of those children a total of 482,146 had allegations of child abuse and neglect. In the year 2014, the child population decreased to 9,097,971 children; however the allegations of child abuse and neglect increased to 497,370 (Webster, 2015). Data presented by the University of Berkeley California Child Welfare Indicators Project show that from the years 2010-2015 victim percentages of emotional abuse, physical abuse, and sexual abuse types of maltreatment decreased; however neglect type of maltreatment

cases have not only continued to be the highest type of maltreatment but also continued to rise.

Along with the increase in allegations of child abuse and neglect, there has been an increase in case closures and a decrease in families who are being reunified with their children. In the year 2013, there were a total of 12,571 case closures and only 1,324 cases that were closed resulted in reunification or stabilization of the family. In 2013, the same year, the court closed 1,848 cases due to termination of parental rights. In the year 2014, there were a total of 13,281 case closures; this was an increase than the previous year. However, of those cases closed only 1,287 resulted in reunification or stabilization of the family and 2,044 cases were closed due to termination of parental rights that year (Webster, 2015).

With the increased numbers of allegations of child abuse and neglect, and the consistency of cases being closed in court due to termination of parental rights, there is a need to understand parents' experiences in the dependency court because it is in court that parents are mandated to meet the requirements of their case plan in a specific time frame. The consequence of not understanding parents' experiences in this process of navigating the dependency court can lead to higher numbers of children placed in long term foster care or a court decision to terminate parental rights.

### **The Dependency Court Process**

The way social service systems function varies from county to county in California. The juvenile dependency court has become the primary forum for the



oversight and resolution of child maltreatment cases (Ventrell, 1998). The process is designed, within limitations protecting family autonomy, to serve “the best interest of the child” (Ventrell, 1988, p. 26). “Best interests” is a child-centered principle meaning that child welfare professionals operate in the “best interest” of a child and seek a “family preservation” outcome that ensures permanency for the children (Ventrell, 1998). Family preservation and reunification is the underlying federal policy that is just as important as protecting the children’s best interests. These policies recognize that children can succeed and thrive in their own families but intervention is necessary when the child’s safety is at risk (Ventrell, 1988).

This complex court proceeding process starts with the detention hearing, which is typically the first time parents with allegations of abuse and neglect step foot in court. Cases are heard individually by last name. Parents sit at the table next to their attorney. During this court hearing the judge gathers information such as address, phone number, and whether or not families have a Native American background. The mother is typically asked to provide paternity information on the child. Parents have an opportunity to talk with their attorney about the petition and the reasons why their child/ren should or should not be placed in protective care to ensure safety. The attorney then speaks on the parent’s behalf and the judge decides whether the child needs to be detained.

The second hearing is called the jurisdictional hearing. If the court finds that the allegations in the petition are true, the court will then decide what should happen with the child as a result of those findings. The court can potentially make one of

four decisions: (a) dismiss all proceedings, (b) place the child with a parent on family maintenance which includes social worker and court supervision, (c) remove the child from the parents and place the children with a relative, foster parent, or in a group home and offer the parents family reunification services, or (d) remove the child from the parents and not offer the parents family reunification services.

The reasons why the court may not offer reunification services to parents may be for one or more of the following: The child may have been abused severely or killed, the parent may have had a previous CPS case in which another child was removed by the dependency court, family reunification services were terminated, or the parent may have a serious substance abuse problem that has not been addressed (San Joaquin County, 2015).

### **Dependency Court Involved Parents**

A high percentage of parents involved in the system were, themselves, removed from their parents and placed in foster care as children (Wattenberg et al., 2001). Putman-Hornstein et al., (2013) found that birth rates among youth in foster care are higher than in the general population. One in 4 young women in the foster care system are parenting at age 17. Many mothers have a history of being reported for alleged maltreatment, being substantiated as victims of maltreatment, and placed in foster care because of maltreatment. Mothers with substantiated maternal maltreatment history by a caretaker or guardian may not only have consequences for the victim but also may contribute to next-generation health outcomes and

maltreatment risk for future abuse and neglect in the next generations (Putnam-Hornstein et al., 2013).

A study by Wattenberg, Kelley, and Kim (2001) titled: “When the rehabilitation ideal fails: A study of parental rights termination” makes an important contribution to the understanding of the background of parents in child welfare, specifically those who have experienced termination of parental rights. Records of 97 children age 6 and under whose parental rights were terminated between 1991 and 1997 were reviewed. Many mothers whose parental rights were terminated by the courts presented a social history of multiple problems and high-risk behaviors. Dual or multiple disorders and substance abuse problems were very common. A large number of women suffered from serious and persistent mental illnesses such as depression, bipolar disorder, schizophrenia, personality disorder, developmental disabilities, or other disabilities. More than one quarter of mothers were involved with the correctional system, including some for drug related incidents and prostitution. Furthermore, more than one-fifth had experienced one or more relationships in which domestic violence was present.

Wattenberg, et al. (2001) state that the main problems that lead to termination of parental rights are substance abuse, domestic violence, and acute poverty. Substance abuse is frequently associated with other conditions such as abusive domestic relationships, active mental illness, and inability to maintain a household with stability sufficient to raise children (Wattenberg et al., 2001). Additionally, a vast majority of parents who have been reported for charges of abuse and neglect live

in poverty with a single parent status and receive public assistance (Ayon, 2004; Barth, et al., 2005; Wattenberg et al., 2001).

### **Parent Satisfaction & Juvenile Dependency Court System**

Effective parent training and support is a primary intervention that child welfare agencies provide when trying to preserve or reunify families (Barth et al., 2005). Ashford and Faith (2004) found that parents are dissatisfied with the juvenile dependency court system despite the efforts of Child Welfare agencies to provide support for parents through the use of mediators. Mediators are third parties whose purpose is to support the parents during the life of their CPS case. Parents reported that when perceiving injustice by social workers and judges they have found mediators to be useful in obtaining agreements or settlements on issues in dispute (Ashford & Faith, 2004). Disputes with social workers and judges delay parents' engagement in treatment plans, which can have implications for permanency decisions. Ashford and Faith (2004) found that justice and trust variables influence parental reactions to the institutions. They also found that the support that parents are provided through mediators seems to be to ease communication with social workers and the judges.

### **Parent and Social Worker Therapeutic Relationships**

According to Ashford and Faith (2004) "because child protective service workers [caseworkers] are responsible for implementing child dependency decisions, parents are expected to have a long-term relationship with these authority figures" (p. 20). Not only is the relationship likely to be lengthy, but Ayon (2004) asserts that a

caseworker's ability to form a good relationship with the parent is one of the strongest tools a social worker possesses. The personality and performance of a social worker are key determinants that influence how parents evaluate their experience when interacting with social workers (Spratt & Callan, 2004).

DeBoer and Coady (2007) explored good helping relationships in child welfare. Positive relationship themes that arose through a series of caseworker-parent dyad and individual interviews included "soft, mindful [,] and judicious use of power and a humanistic attitude and style that stretches traditional professional ways-of-being" (DeBoer & Coady, 2007, p. 35). DeBoer and Coady (2007) also found that caseworkers who demonstrated empathy, understanding, and trust were similarly noted to be more effective in establishing positive and effective helping relationships between the parent and caseworker.

Saint-Jacques, Drapeau, Lessard, and Beaudoin (2006) found that several factors were helpful in assisting parents to succeed in reunification with their children. Similar to DeBoer and Coady (2007), they found that establishing a trust relationship which included respect and a non-judgmental attitude towards the parent, realistic expectations for the parent with a focus on hope for change, and instilling in parents the belief that they are important in their children's lives and are needed by their children were the most important factors for a positive outcome. The principle of trust for parents means that "when we say we trust someone or that someone is trustworthy, we implicitly mean that the probability that he (or she) will perform an

action that is beneficial or at least not detrimental to us is enough for us to consider engaging in some form of cooperation with him (or her)” (Williamson, 1993, p. 463).

In a comparable study in Israel, Ribner and Knei-Paz (2002) conducted a qualitative study in which parents were asked about their experiences with their caseworkers. Women involved in the dependency system expressed that the support and encouragement of their caseworker empowered them to feel more responsible for the care of their children. It also helped woman acknowledge their role in the abuse or neglect. Women also expressed that caseworkers helped them find personal forgiveness for what had transpired. Research suggests that parents can see a specific caseworker as “anchoring an experience” (Ribner & Knei-Paz, 2002, p. 381).

The “anchoring experience” that a social worker can provide a parent has great power and can create a great impact on the worker/parent interactions. Through in depth interviews Jenkins (2011) explored the ways in which parents perceived and reacted to child protection services interventions. Two perceptions of power emerged: parents’ perceived power being used over them as a form of control or power with them as a form of support. Jenkins (2011) also found that three ways of responding to intervention emerged: parents fought workers by openly opposing them; parents “played the game” by pretending to engage in co-operation; or parents worked with them in collaborative relationships. Jenkins (2011) found that parents experiencing power being used over them tended to fight or play the game while parents experiencing power being used with them tended to work with intervention. Regardless of the outcome of a case, parents who felt understood and respected by

their caseworkers indicated a more positive experience with the required services and the caseworker overall. They also indicated a greater feeling of self-worth and confidence; despite the diverse reasons these women entered the system (Jenkins, 2011).

### **Social Workers' Perceptions of Parents in Dependency Court**

Research shows that a child welfare worker's perception of client cooperation shapes the next steps that are to be taken in a case (English, Marshall, Coghlan, Brummel, & Orme, 2002). A caseworker has a position of authority with the family in the caseworker role as a reporter to the court. Leathers (2002) found that caseworkers believe in a predictive model. This predictive model means that if caseworkers feel that a parent will fail in the dependency court process, the parent usually does. Additionally, a study found that social workers' attitudes, trustworthiness, open and honest communication, and empathic communication skills are important components to a social worker's own personal case outcomes (Spratt & Callan, 2004).

### **Permanency and Reasonable Efforts**

Regardless of whether parents are accused of alleged abuse or neglect of their child(ren), the relationship between parents and their court-appointed caseworker plays an important role in the understanding, compliance, and successful completion of the mandatory case plan and overall court process for the accused parent(s). It is the relationship that the caseworker has with the parents, and vice-versa, that is assumed to direct the beliefs about and perceptions of one another and how actions by

both are interpreted throughout the life of the case. Taking into consideration both the parents' and the caseworker's own personal histories, cultures and overall beliefs about appropriate parenting is important (McConnell & Llewellyn, 2005). As supported by the Adoptions and Safe Families Act, the deadlines for reunification in dependency cases are set for 6-months after removal. Simultaneously, a permanency plan for the children is developed in case parents fail to reunify with their children. Permanency refers to case outcome, which can be reunification with the parents, termination of parental rights, or placement in relatives' care.

In efforts to avoid separating families if it is not necessary to do so, social workers work with parents to develop a case plan and move toward reunification. Research finds that the intent of reunification plans are admirable; however the reality is that many plans are designed for failure.

Testimony was received regarding the hours of time that must be spent in order to comply with these plans. Defense attorneys have testified that they have told clients that it is impossible for them to work and comply with reunification. Judges and referees were observed, seemingly without thought, ordering parents into programs, which require more than 40 hours per week. Frequently, these parents have only public transportation. Obviously, there is not time to earn a living or otherwise live a life. A parent often becomes a slave to the reunification plan. (1991-1992 San Diego Grand Jury, Paragraph 4)

According to Norell (2015), a 2008-2009 San Diego Grand Jury found that little had changed with respect to these reunification plans. Similar trends were found in Santa Cruz according to The Peer Quality Case Review study (Norell, 2015). The peer quality case review study found that parents lose their jobs as a result of having to complete all the services that are required to get their children back. Parents'



counsel are overworked and under-funded so it is difficult to hold social workers accountable for participatory case plans that are missing. In addition, social workers do not always invite attorneys to planning meetings, and case plans contain a lot of language that is not tailored to clients (Norell, 2015).

Many factors influence parents' abilities to comply with services to regain custody of their children. Leathers (2002) found that due to parents' own experiences with abuse and neglect as children, they may not be psychologically prepared to deal with the child protective system. Many parents in this situation are viewed as non-compliant with services and court appearances. Non-compliance was defined as the parents being unwilling or unable to follow through with service referrals from the social worker despite the fact that not following the court's direction could mean that parents could potentially fail to regain the custody of their child(ren). Levin (1992) provided further insight on a different reason to why parents might not comply with services. Levin found that parents whose children were removed due to allegations of abuse or neglect experienced a strong psychological reaction to the removal, which led the parents to avoiding their children and not taking part in services due to their own feelings of shame, ambivalence, and inadequacy.

Furthermore, Zell (2006) found that caseworkers were able to indicate that biological parents have a difficult task in terms of meeting the court's requirements. "More than 20% of the caseworkers stated that unattainable goals are established that either cannot be accomplished by parents of children who come into the custody of the child welfare system, or do not have clear workable solutions" (Zell, 2006, p. 94).

The Zell study included statements indicating that the system itself does not have the tools necessary to provide the indicated services for parents and that the court system is a frustrating process, which included “excessive and unnecessary court delays...and a lack of preparation of lawyers to represent their clients in juvenile court” (Zell, 2006, p. 94).

Higher compliance rates are related to higher rates of reunification (Yatchmenoff, 2005). However, the question still remains regarding whether the positive outcomes are a result of the intervention itself or if they are a result of the parent's attendance and compliance with the court-ordered treatment plan (Yatchmenoff, 2005). Empowerment and engagement, however, are both attitudes and sets of behaviors, which are harder to measure (Cohen & Canan, 2006).

### **Historical Stigmatization of Parents**

McConnell and Llewellyn (2005) studied families through a socioeconomic lens and found that there is a relationship between poverty, social isolation, and children being at risk for maltreatment. They also found that caseworkers attributed the problems that brought the families to the attention of Child Welfare directly to deviant parents and not the social inequalities that parents experience in their lives. Caseworkers viewed the parents as the problem and denied that any of their presented issues were from contextual and environmental stressors in the parents' lives.

Research conducted exclusively with caseworkers on their perceptions of their position, role, and the families served indicated that “caseworkers hold negative views of biological parents” (Zell, 2006, p. 83). Caseworkers also expressed

limitations of the system in which they work such as the frustrating court processes, the lack of resources, and their own experiences of professional burnout and system requirements.

### **Gaps in the Knowledge Base**

Despite an exhaustive review of the literature, no one study specifically looked at parents' experiences in the dependency court process. On a macro level, studies show that society does not have a positive outlook on these parents and because of this outlook there is a need to have more research available to understand the parents' experiences. Only a handful of recent research studies exist in the professional literature specific to this population (Alpert, 2005; Ayon, 2004; Saint-Jacques, Drapeau, Lessard, & Beaudoin, 2006). There exists a gap in the research literature specific to interactional relationships and experiences within the child welfare dependency court from the perspective of the parent.

Few studies focus on parents' perceptions of the services they receive, what they feel, and what they experience during the reunification process (Alpert, 2005). Most studies look at the completion rates of particular programs and how these completion rates correlate with reunification rather than looking to parents to gather information regarding what is most helpful to them (Alpert, 2005). Other literature reviewed appeared to look at parent and child dependency experiences from a more linear perspective, focusing on the interactions between parents and court workers (McConnell & Llewellyn, 2005; Zell, 2006).

The parents' service experiences still remain largely unstudied (Alpert, 2005), and the needs of biological parents remain overlooked by failing to include the perspective of parents when evaluating current intervention (Saint-Jacques et al., 2006). This thesis aims to gain a more comprehensive understanding of the complex nature of the dependency system from the viewpoint of the parents.

### **Summary**

The research on parents who have had contact with child protective services provides a robust body of scientific evidence. A high percentage of parents come from disadvantaged backgrounds full of obstacles and problems such as poverty, disabilities, and abuse and neglect in their own homes.

Child welfare service agencies provide parent training as part of their legally mandated responsibility to provide services to assist families to keep their children at home or to achieve reunification. However, there is little written in the parent-training literature about working with neglectful parents, or parents of children younger than 3 (Barth et al., 2005).

Regardless of geographic location, the experiences of parents and children who have been involved with the dependency court are poorly represented in scholarly research. While it is a difficult topic to explore, this area of study is necessary in an effort to expand our understanding of these individuals' lived experiences and their opinions regarding what is needed for the overall system to ensure the safety of children and better meet the needs of the families.

While the current study is qualitative in nature and analyzes only the parents' experiences, not the overall system, it is believed that any research in this area will increase knowledge, understanding, empathy, and a greater focus on quality improvement for all involved in the dependency court and the child welfare system.

Research has not fully addressed the parents' role in the system. Studies fail to include parents and instead include assumptions and presuppositions of caseworkers and foster parents (Leathers, 2002). Parents should be provided with fair, adequate, and reasonable services. Parents who have had their children removed experience many emotional responses that need to be identified by the system and the caseworker and not assumed to be representative of anything other than what they truly are. This qualitative research indicates that there is much attention that needs to be focused on parents to increase the success rates of rehabilitative efforts in order to facilitate reunification with their children.

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## CHAPTER III

### METHODOLOGY

#### **Overview**

Little research has been conducted regarding the lived experiences of parents going through the dependency court process, which includes the detention, jurisdiction, and disposition hearings. Because there is a desire to have a better understanding of this phenomenon itself, this qualitative study is phenomenological in nature. Specifically, this research applies a phenomenological study methodology to the lived experiences of parents who have experienced the dependency court system. This research acknowledges that there is a need to understand a phenomenon from the point of view of the lived experience in order to be able to discover the meaning of it (Englander, 2012).

Knowing about such matters is hoped to be viewed as important to professionals working with these families, specifically court social workers in child welfare. This phenomenological study was guided by the following research question: What are parents' experiences as they navigate the dependency court system in child welfare?

#### **Research Design**

The purpose of this research thesis is to understand the experiences of parents who have been part of the court in child welfare. There are numerous research methodologies to choose from and in selecting the most appropriate research design

and most suitable for this particular study, this researcher thoroughly studied the methodology chosen in order to execute good research practice. A great amount of time was spent studying the phenomenological research design in order to exercise well-informed choices, make the choice known, and be able to substantiate those choices (Groenwald, 2004).

Phenomenologist researchers focus on describing what all participants have in common as they experience a phenomenon. Creswell (1998) describes a phenomenological study as a common meeting for several individuals of their lived experiences of a concept or a phenomenon. The basic purpose of a phenomenology is to reduce individual experiences with a phenomenon to a “description of a universal essence” (Creswell, 2007 p. 59).

Parents are the source of information for the descriptive account of their lived experiences and therefore light the way towards a better understanding of the phenomenon from their perspective. Phenomenologists have always argued for the importance of examining not only how a phenomenon appears to an individual subject but also how the phenomenon is present to an “inter-subjective community” (Zahavi, 2007, p. 180). The key word in phenomenological research is *describe*. The aim of the researcher is to describe as accurately as possible the phenomenon, avoiding any pre-given framework, but remaining true to the facts (Giorgi, 1992).

This phenomenological research design is justified through the theories of Colaizzi (1978) who postulated that the most successful way to conduct this type of research was dependent on using questions to touch the lived experience of parents.

This design was selected because it helps professionals assess coping processes and enhance professional-client relationships through the collection of themes that describe how the parents experienced the dependency court process.

### **Sampling Plan**

For the purpose of this study, the sampling plan included parents who had an open CPS case due to neglect and had attended the detention, jurisdiction, and/or disposition hearing. Interviews were conducted with 8 parents. Participants were residents of San Joaquin County.

Because of the sensitivity of the research topic and the need to engage parents with dependency court experience, a purposive sampling recruitment process was chosen for this study since it was the most applicable kind of non-probability sampling to identify the primary participants (Welman & Kruger, 1999). Participants were selected based on the purpose of this research. Participants were recruited through referrals that were provided by the Child Protective Court Unit Social Workers.

In order to identify additional potential participants, snowball sampling also was used. Snowballing is a method of expanding the sample by asking one informant or participant to recommend others for interviewing. In order to acquire more participants, the researcher asked participants for referrals or recommendations of other parents that might be interested in participating.

A Child Protective Agency in a Central California County provided a letter of support (see Appendix A). The interviewees were the primary unit of analysis. The



researcher made herself available to the participants and conducted the interviews at their place of preference and where they felt most comfortable. Data collection interviews continued for each interviewee until the topic was exhausted or saturated, that is when interviewees (subjects or informants) introduced no new perspectives on the topic.

In order to be included in the study, the participants must have met the following criteria:

1. Have an open CPS Case.
2. Have participated in the detention, jurisdiction, or disposition hearing.
3. Consent to a personal interview of approximately 60 minutes.
4. Sign the consent form for audio taping interview.
5. Agree to his/her ability to remove herself/himself from the interview process at any time if desired.

### **Instrumentation**

The purpose of the interview guide was to essentially guide the researcher in exploring patterns and themes regarding the experiences of parents in the dependency court. The interview guide that was utilized consisted of 9 open-ended questions that allowed for the participants to engage (see Appendix C - Interview Guide). The central research question was: What are parents' experiences as they navigate the dependency court system in child welfare? The interview guide was designed to facilitate conversation with participants so that the data reflected their lived experiences and addressed the overarching research question.

The researcher allowed the data to emerge by “doing phenomenology” research, which means capturing descriptions of experiences and their settings (Bentz & Shapiro, 1998). In order to access the lived experiences this researcher used 8 open-ended questions to approach the participants. The following are sample questions that were listed in the interview guide:

1. How did/do you experience the dependency court process?

Probe: Before, during, after

2. What value, if any, has been derived from that experience?

In a phenomenological study it was important to keep in mind that the findings may, or may not, illustrate that the courts and professionals contributed to positive dependency court experiences for parents (Lofland & Kvale, 1996). In this regard inquiry did not mean looking for answers, rather the focus was to use this qualitative approach to understand and move marginal voices to the center, creating a more inclusive understanding of reality as it emerged from the parents. The missed voices of parents’ feelings and experiences in the dependency court were heard and became a significant part of “creating a new paradigm” from which to view parents in the dependency court setting (Schriver, 2011, p. 11).

A semi-structured interview was chosen in this phenomenological study by the researcher due to the fact that the interest was in the meaning of the phenomenon as it was lived by parents in child welfare CPS dependency court. Acquiring a description of those experiences was necessary.

The lack of in-depth research in this area indicates a need for exploration of this aspect of Child Welfare. Using a standardized survey instrument would not provide the information needed for a phenomenological study; it would be difficult to gather in depth data. A quantitative survey that has pre-set questions would not be able to capture the variety of different parent experiences, and it would not be able to gather a rich detail that is possible through the interview process. Focus groups made up of dependency court involved parents would compromise anonymity and it would not let the researcher explore the different experiences that parents have had. Individual shifts made by parents could easily be blurred together and lost in a group discussion.

It was hypothesized then that interviews with parents that had gone through the detention hearing, the jurisdiction hearing, and the disposition hearing would provide detailed descriptions of their experiences in court. In addition, open-ended questions facilitated parents bringing forward, in their own words, feelings and experiences that were not predicted by the researcher. Clients could express themselves in whatever way they wished. Expression, is a mode of allowing the meaning of experience to become manifest. It requires the inquirer to partake deeply of experience, rather than stand back in order to analyze (Reason & Hawkins 1998).

Meaning is part and parcel of all experience, although it may be so interwoven with that experience that it is hidden: it needs to be discovered, created, or made manifest, and communicated. A collaborative relationship in this kind of inquiry is

essential. A researcher must appear as fully human and fully present. (Riches & Dawson, 1996, p. 363)

The questions in the interview guide were designed to create an open dialogue between this researcher and participants. The participants were able to talk about how they felt. These types of questions were not mechanical. The researcher approached parents with genuine curiosity and interest. For example, the researcher stated, “I really want to know what your feelings were while you were in court, the information that you provide will help us visualize what that experience must be like.”

### **Data Collection**

A partnership was established between San Joaquin County Human Services Agency and the researcher. The interviews and data collection process took place at the desired location of the participants (see letter of support from San Joaquin County Human Service Agency- Appendix A). This researcher interviewed eight participants in this study. The interviews were approximately 60 minutes in length.

In order to have the greatest access to participants this researcher was readily available at the desired time and place of the participant. Using the data collection method, this researcher anticipated spending enough time with each participant in order to build rapport

Because this was a qualitative study using in depth interviews, this researcher collected data using a recording device with the permission of interviewees; this ensured that everything a participant shared was accurately collected (Arksey &

Knight, 1999; Bailey, 1996). Since equipment failure and environmental conditions might seriously threaten the research undertaken, the recording equipment was checked to make sure that it functioned well and that spare batteries were available. The interview setting was as free as possible from background noise and interruptions (Easton, McComish & Greenberg, 2000).

Each interview was assigned a pseudonym. As soon as possible after each interview the recordings were listened to and notes were made. The interviews were transcribed and the researcher looked for key words, phrases, and statements in order to allow the voices of research participants to speak.

#### **Plan for Explication of the Data**

In-depth semi-structured phenomenological interviews were conducted with dependency court involved parents. All of the questions that were asked were directed toward the participants' experiences, feelings, beliefs, and convictions about the dependency court (Welman & Kruger, 199). Data were obtained about how the participants "think and feel in the most direct ways" (Bentz & Shapiro, 1998, p.96). The researcher focused on what went on within the parents. The parents were able to describe their lived experience in their own unique way.

To justify the analysis, this research study utilized Colaizzi's (1978) approach to phenomenological research. The transcripts of the interviews were read multiple times. Significant phrases were determined. Meaning was drawn from those phrases and separated into themes. A few of the participants were approached a second time to clarify the researcher's understanding of a particular experience. The systematic

procedure for analyzing phenomenological data was moved from the narrow unit of analysis, which were the significant statements, to the broader units, which were the meaning units, and on to detailed descriptions that summarize the elements of what the individuals experienced and how they experienced it (Creswell, 1994).

### **Protection of Human Subjects**

Before the data collection process and in order to protect human subjects, this researcher submitted the proposed study to the University Institutional Review Board (UIRB). Once this proposed study was reviewed and approved by UIRB, this researcher recruited participants from a County Child Protective Services agency.

Participants were informed of the purpose of the study as well as how data would be collected. Participants were also informed that they could skip any question or stop the interview at any time if they felt the need to do so. This researcher provided participants with an informed consent form that explained the goals of the research and the rights of participants to confidentiality (see Appendix B- Informed Consent). Participants were informed that interviews would be held in a private place in order to maintain confidentiality. They were also aware that recordings would be transcribed and destroyed one year after publication of this thesis.

In order to ensure ethical research, the informed consent form was as transparent as possible (Holloway, 1997). Any questions participants had were answered prior to the interview. Based on Bailey's (1996) recommended items (p. 11), the informed consent form was made with the following information with an emphasis on confidentiality.

- Agreement to participate in the research.
- The purpose of the research.
- The research procedure.
- The risk and benefits of the research.
- Voluntary participation.
- The parents' right to stop the research at any time or skip any questions.
- The procedures used to protect confidentiality.

The informed consent form was explained to each parent prior to scheduling an interview. Each participant signed an informed consent agreement and received a copy to keep for their records.

Data storage included the audio recordings, field notes, and the filing of hard copy documentation. Each interview was divided into separate files. The files that contain the following documents will be destroyed one year after the study has been completed:

- The informed consent agreement.
- Notes made during the interview.
- Field notes completed after the interview.
- Any notes made during the data explication process.
- The draft 'transcription' and 'analysis' of the interview that was presented to the participants for validation.
- Any corrections or comments made by the participants about the transcript and explication of the data.

### **Research Ethics and Validity**

This study focused on parents' perspectives in navigating the dependency court. Because the experiences of the individuals that took part in this study were personal and related to their dignity and worth, the researcher acknowledged and valued the experiences that were shared by each participant.

Participants were not pressured into answering any questions that they did not wish to answer. The participants were not interrogated or intimidated. Participants were informed of their right to withdraw from the interview at any time they wished to do so. The identities of the participants were protected through the use of pseudonyms throughout the study. No identification information was included in this study to ensure participants' right to privacy.



## CHAPTER IV

### RESULTS

#### **Overview of the Chapter**

The purpose of this research study was to explore parents' experiences in the dependency court process. This chapter includes the answer to the research question of this study: What are parents' experiences as they navigate the dependency court system in child welfare? Data from 8 semi-structured face-to-face interviews were analyzed to address the guiding research question. The participants were viewed as co-researchers and were encouraged to talk freely and to tell their experiences using their own words. Each interview lasted from 45 minutes to one-hour. This researcher reminded the participants about her need for a second contact with them, in person or via telephone call to discuss the study findings and to make sure that the study findings reflected their own experiences. After this, the transcripts were double-checked.

This chapter provides an overview of the sample, including important characteristics of the sample. Important observations made by the researcher are also noted such as similarities between participants in the sample. Themes that were derived from parents' descriptive accounts of their experiences in the dependency court are presented in this chapter to answer the guiding research question of this study. A total of nine themes were found. The identified themes will be discussed in greater depth in this rest of this chapter.

### **Participant Characteristics**

The sample size for this research study included eight females who resided in the County of San Joaquin, CA and had an open Child Protective Service (CPS) case. The women who participated in this study attended the detention, jurisdiction, and/or disposition hearings. All of the mothers in this study had a neglect case, and seven out of eight mothers had a child under the age of three years old. This is particularly important because Federal law requires the court to hold periodic review hearings at least once every six months after a child who is under age three is removed from a child's home (Rev. Stat. §§ 8-847; 8-862). If the parent is not making progress through reunification, the court may determine an alternative permanency order, which may include legal guardianship or adoption (Stat. § 14-3-431). Four out of the eight participants were enrolled in a residential drug and alcohol abuse program at the time of this research study. All of the participants had their parental rights and were in the process of reunifying with their children. One of the participants in this study had already successfully reunified with her child at the time of this research study.

## Demographics

Table 1

### *Demographics of Participants*

Name	Ethnicity	Age	Type of Case	Hearings Attended	Number of Children	Under age of 3
Tamika	African American	28	Severe Neglect	Detention Jurisdiction Disposition	1	Yes/ One 2yr. Old Female Disabled
Nora	African American	22	Neglect	Detention Jurisdiction Disposition	2	Yes/One 1yr. old Female & One 2yr. old Male
Janice	African American	18	Neglect	Detention	1	Yes/One 2yr. old Female
Kim*	Caucasian	33	Neglect	Detention Jurisdiction Disposition	1	Yes/ One 2yr. old Male
Justine*	Caucasian	23	Neglect	Detention Jurisdiction	1	Yes/One 4 Month old Female
Pamela*	Caucasian	37	Neglect	Detention Jurisdiction Disposition	1	No/ One 7 yr. old Female
Emelina *	Hispanic	43	Neglect	Detention Jurisdiction Disposition Reunified	1	Yes/One 1yr. old Female
Lisa	Hispanic	28	Neglect	Detention Jurisdiction Disposition	5	Yes/One 2yr. old Female; One 3 yr. old Female; One 10 yr. old Female; One 5 yr. old Male and one 8 yr. old Male

\*Participants in drug and alcohol residential programs

## **Background of Participants**

### **Tamika**

Tamika's case came to the attention of child welfare dependency court when her medically fragile 2-year-old daughter was not receiving the appropriate healthcare necessary for her to live. Tamika's daughter has cerebral palsy, chromosome abnormalities, and lacks physical skills such as rolling over, sitting, and crawling. She was continually losing a lot of weight and seemed to make no progress under her mother's care. The doctors reported to Child Protective Services that Tamika was not following orders from the doctor and regularly failed to take her child to important appointments. Tamika stated,

At the Team Decision Meeting (TDM), they decided to let her come home with me. It was after my first court date that they took her. I felt sad, hopeless, angry, and emotional. It was a lot of feelings at once. It felt like it was the end of my world.

### **Nora**

Nora's case came to the attention of child welfare dependency court due to the child being exposed to illegal drug paraphernalia. She shares as follows:

I did things in my past that are bad, but now since they have been taken from me, I have been getting myself together so that when I get them back I don't have to go to that lifestyle anymore.

### **Janice**

Janice is an 18-year-old mother. As a child, she was removed from her mother's care and put in foster care due to her mother's untreated mental health issues. She explained the hurt and confusion she experienced when being separated from her younger brother. She was raped while in foster care and with tears in her

eyes explained that she never wanted her own daughter to be in foster care. Although her mother was able to complete services and reunify with her children, Janice still has very negative memories of being in foster care.

At the time of the interview she expressed that she was still not 100% sure why her child got removed from her care. Janice's mother was now taking her medication and advised Janice to give her guardianship of her daughter because it would make it easier for her to acquire Woman, Infant and Children services. WIC is a federally funded health and nutrition program for women, infants, and children. Janice agreed because she did not even have an identification card to get all of the paperwork necessary completed.

CPS had previously detained her daughter once and the judge ordered for the child to be returned to her mother, stating that he did not see any harm being done to the child. This time, Janice stated that her mother made various "delusional statements" at the guardianship court hearing about Janice's care for her daughter when she was not present. The statements that Janice's mother made were very serious according to Janice. Janice accepted that at some point, she had signed a safety contract that she did not follow. In the contract she agreed to not leave her daughter with her mother alone at all. She admitted that she was going to school and that she started to have friends and made the choice of leaving her daughter with her mother more often. Janice has no support system other than her current boyfriend, who is not the father of her daughter. She stated,

As long as I was living with my mother they were not going to allow me to keep my baby. When he [the judge] told me that I felt

powerless. I felt there was nothing that I could do to make them change their mind. I have six months! Six months or my daughter is put up for adoption. Six months to completely change my life around. Go to school, get a job, find a home. How is six months enough on top of whatever they tell me to do?

### **Kim**

Kim's case came to the attention of child welfare dependency court because of her addiction to drugs. Kim comes from a middle class family. None of her family members use drugs. She shared that her childhood was one filled with good memories. Her drug use began when she moved away from home and gave in to peer pressure. The drug use continued and before she knew it, she finally hit rock bottom. Kim has a support system that includes her mom who lives out of state. She stated,

My son was not feeling well. I was off in my own world. He got fever and he got really sick. I was out. I was in my addiction. I wasn't paying as much attention as I should of. It progressed faster than I thought it would. He spiked to high fever and had seizures. My significant other (SO) called 911 and then he tried to get a hold of me to get me there and we ended up going to the hospital and he tested positive for meth. Since I know what I did was wrong, I am killing myself inside.

### **Justine**

Justine's case came to the attention of child welfare dependency court when her baby was born positive for opiates. Justine was put into foster care due to her biological mother's inability to care for her due to her drug use. Justine was adopted out of the system at the age of four years old along with her twin sister. She recalls having adoptive parents who always kept her involved in extracurricular activities such as dance, soccer, and band. In high school she started smoking weed and along with bad acquaintances she started going down the wrong path. She moved in with

her boyfriend in her senior year in high school. She would smoke weed regularly with him. Time progressed and she made contact with her biological mother and father and lived with them for some time. She began to bartend and dance at nightclubs. She lived a dangerous and unhealthy lifestyle. Her use of drugs increased over time. She was put in several drug rehabilitation programs out of state and found a way to leave them. She met a man at one of the programs who is the father of her daughter. Although she does not have a good relationship with her adoptive mother, her current support system includes her adoptive mother and father who are the current foster parents of her daughter. Justine stated,

I am scared as a holy hell to be a mom. I am a first time mom. That feeling of fear is awful. I feel that I am going to fail her. I feel that I am not good enough; I feel that because I am a relapser. This time around was really bad, I mean from being sober for 18 months to sticking a needle in my arm. I didn't smoke it first, I didn't snort it first, I went straight to IV. I have a disease. It is just like cancer. I will have it for the rest of my life, and I will be fighting the urge to put a needle in my arm every day of my life. Every time I see a belt, or a cigarette filter, or get blood drawn. Every time I think about a McDonalds or a car seat belt, or a cup of water, or a spoon. I am going to think about using and I am going to want to. That is my disease calling.

My significant other (SO) was a recovering addict like me, we were clean until he relapsed on Vicodin. He relapsed and I was wondering where all our money was going. He would always make excuses. Until one day I found syringes. I was so pissed. I found his doctor bills; he had been seeing a private doctor with no insurance, and paying 200 dollars a visit every week. I found all of his receipts. I just wanted in. I was tired. An addict who was sober for 18 months, PREGNANT, and I was in pain! One day I was in so much pain and he asked "do you want me to kill your pain?" and I was like "well yea!" he shot me up with Dilaudid and I remember the feeling. I fell to the ground, slid down the wall and just sat there and I felt nothing. No pain, nothing. It was just like floating on cotton. I wanted his attention so bad that I was like; if I

can't beat him I'll join him. I started doing this about once a week for the first week. Then it was more. I tried to stop and a doctor told me that I should not stop because my baby would withdraw inside me and she could possibly die. The week of the 19<sup>th</sup> in December, my birthday, I overdosed four times. I was in the hospital the 19<sup>th</sup> and 20<sup>th</sup> then I got 51/50 for a 24-hour hold. Christmas day I was in the hospital, New-Year day I was in the hospital.

### **Pamela**

Pamela's case came to the attention of child welfare dependency court for neglect and domestic violence. Pamela's mother neglected her as a child. She recalls using for the first time at a young age. In describing what led to child welfare intervention she stated,

She got taken at 7 years old. I was neglecting her like my mom did to us. I started messing up and drinking and I pushed her away. I thought I was saving her by not having her around it. Go do it and leave her at home so that she was not around it because the houses that we went to were drug dealers or people coming in and out and I did not want her around that. Instead of chasing my boyfriend around I should have stayed with her.

### **Emelina**

Emelinas's case came to the attention of child welfare dependency court when her baby was born positive for drugs in his system. Emelina was born in Puerto Rico, and she is the daughter of parents who love her. She describes going through a difficult time in her life where she began to use drugs and spending a lot of time with the wrong crowd. She stated,

I felt very upset, but it was my fault. I did not stop and this happened. I had a lot of problems, and using helped me forget my problems for a little bit. I kept hanging around with the wrong people. Then I wanted to quit and I could not.



**Lisa**

Lisa's case came to the attention of child welfare dependency court due to neglect. Lisa has only lived in San Joaquin County for two years. She describes herself as a very quiet and reserved person. In describing the removal of her children she stated,

They were removed about 6 months ago. First the CPS reports started coming in because the house was filthy, cluttered, I was getting panic attacks, but I was getting a lot of them at that time. My two year old, he took one of my pills and I called 911 and it was reported. My five year old, she stepped on a piece of glass and cut her foot. My five kids had chronic lice in their hair. I was just going through a rough time. I had depression and I felt alone. I have to take care of my mom and five kids. It's sad to say that I had to lose my kids for a while so I can realize that they came first and not my anxiety or depression. They are all that matters.

**Presentation of Essential Themes**

The results reported include a total of 9 themes that were culled from the interviews. The themes are consistently presented with a summary statement of the theme followed by quotes and paraphrases from the participants. The identified themes include: (a) Fear caused by uncertainty of the future, (b) Quality of relationships with dependency court personnel, (c) Anxiety caused by long waiting periods and feelings of confusion in the child welfare dependency courtroom, (d) Receptiveness to services mandated by the child welfare dependency court, (e) Disclosing information slowly and omitting truth, (f) Not being a bad parent, (g) Parent transition and self reflection, (h) Importance of respect and empathy; Advice for service providers, and (i) A transforming experience.

**Theme One: Fear Caused by Uncertainty of the Future**

Fear was caused by lack of knowledge of the child welfare dependency court process. All of the participants expressed experiencing a strong feeling of fear throughout their court proceedings, especially the first one that is the dependency hearing. The Cambridge Dictionary (2015) defines fear as “a strong emotion caused by great worry about something dangerous, painful, or unknown that is happening or might happen.” Participants described their feelings of fear in different occasions in their dependency court experience. All 8 participants concluded that the first hearing was the most difficult. Parents expressed their feeling of fear was due to the lack of communication with their service provider, mainly the social worker. There are three thematic statements that compose the essential theme of “fear caused by uncertainty of the future.” They are (a) Lack of general information about the procedure, (b) Fear of incarceration, (c) Fear of automatic permanent separation from children.

**Lack of general information about the procedure.** The lack of general information about the procedure caused parents to feel fear in their dependency court experience. The majority of participants did not know what to expect. They felt overwhelmed, confused, and lost. The majority of parents described not knowing that the goal of dependency court was to assist families. They reported that if they would have known what the process was that perhaps they would of felt more at ease.

**Outlier.** Lisa’s experience was different. Her social worker explained the process to her prior to entering the courtroom. Although Lisa’s experience was different compared to the other seven participants in that she was knowledgeable

about the basic steps in the first court hearing, she agreed, along with the other seven participants, that the first court hearing was not a good experience due to the feelings of fear of losing her children and never being able to reunify with them.

*Lisa:* First they called my name, and then our social worker took us to a little room and explained what was going to happen. She showed me the big packet and told me that my attorney was going to go in and talk to me. Then we left the little room and then they called me into the courtroom. I wondered what was going to happen. I didn't want them to call me. I sat down and I was looking at the judge and he was looking at me and he told me why my kids were going to be removed. I wanted to cry a lot of times...the judge asked me if I had an attorney with me and I said no. Then the public attorney came and said that she was going to represent me, we walked out and we talked. It was sad at the same time, knowing that my kids were going to be in a foster care.

**Incarceration.** Six out of the eight participants mentioned that they feared they would go to jail. Janice stated, "I was scared, I felt like they were just there to take her. I felt like, if I said the wrong thing, or did the wrong thing, I could end up in jail or something."

**Automatic permanent separation from children.** Seven out of the eight participants expressed the fear of never seeing their children again. Parents felt scared, nervous and ashamed for what they had put their children through. They did not know that the dependency court in child welfare allowed parents the ability to go to trial. Kim describes her experience below:

*Kim:* I was very confused. I was afraid, I was scared. I did not know what to expect. I thought I was going to lose my son forever. I had so many emotions feelings running inside me. I didn't know whether to run, stay, or hide. Should I show up? Not show up? Face my consequences? I did not know what to do, or what to expect when I walked in. Before speaking to the

attorney's assistant over the phone I thought I was going to go in there and be accused, tried, and sentenced all in the same day.

The majority of the participants shared that they did not know what rights they still had over their children. Kim feared that they had completely lost rights over their children when they were placed in foster care. After receiving complete information Kim discovered that she still had a say over the placement, health, and well being of his son. Kim stated, "That made me feel really good, to know that I still had a say. That was nice because I felt that I was still mom. I didn't feel stripped of all my mom responsibilities. My voice was still there."

### **Theme Two: Quality of Relationships with Court Personnel**

The second theme that arose from the interviews included the different qualities of relationships that parents experienced when interacting with judges, attorneys, and social workers in dependency court. The participants indicated that, of judges, attorneys, and social workers, the court personnel with most influence on a parent's level of trust and hope for reunification in the dependency court, is the social worker. Participants reported feeling intimidated by social workers in addition to lacking trust in them.

Participants stated feeling encouraged by the judges in the dependency court. Attorneys played an important role in the experience of parents in the child welfare dependency court. Participants in the study also expressed fear of court personnel due to the power that they have over their family.

**Initial feelings of distrust towards social workers.** Feelings of distrust towards social workers arose due to four factors in these parents' dependency court experiences. The four factors are the following:

- Previous knowledge about the dependency court.
- The lack of communication leading to lack of trust.
- Discrepancies and errors found in reports prepared by social workers.
- Perceived negative thoughts and treatment on behalf of the social worker towards the parent.

**Previous incorrect knowledge about the dependency court.** Previous incorrect knowledge about the dependency court caused participants to experience distrust and fear. Most of the previous knowledge was limited to information that participants heard from other parents who were unsuccessful in reunifying with their children. Parents also had knowledge about horror stories that they read on social media sites such as Facebook and YouTube. Pamela shares her experience:

***Pamela:*** I did not trust them. The way they were being sneaky. That was wrong, how they acted. That's how I felt at first. I took that approach of recording the calls and not cooperating because I did not trust the way they did things in the beginning, also I heard how they took babies. I thought they were just against me because they wanted my daughter. She is smart and cute and that's how I thought about it. I started looking it up online and I started getting more scared. Online it said that CPS did it for the money. I did not think they were doing it to protect my daughter at all. I figured that if they wanted me to be there for my daughter and do the best for my daughter they would of let her stay with me and help me at the same time. Not have her be pulled away from me.

**Lack of communication leads to lack of trust.** Participants also reported that the lack of communication led to lack of trust. Not having enough

communication caused parents to feel distrust in social workers. Parents stated that they were therefore less likely to openly express their needs or issues due to fear of repercussions. Parents expressed that this was a negative experience in a dependency court process due to the fact that reunification is dependent on the recommendations of the social worker.

**Discrepancies in court reports.** Parents experienced fear when they saw incorrect information about them on a report. All of the participants described finding errors on their reports such as things that did not happen; things that happened but were put out of context; incorrect names, addresses, prescriptions; and incorrect assumptions. They explained that having the incorrect information in front of them about them was a legitimate reason to not trust the social worker that wrote the report.

**Judges.** Within the second theme “quality of relationships with court personnel” participants shared their experience as positive when interacting with judges in the dependency court because they were supportive and encouraging. Parents described the judge in their hearings as “non judgmental, respectful, and nice.”

***Justine:*** I am blessed to have that Judge. The judge is not judgmental. He greets me by name when I walk in there. He has respect for me as a person. He knows how I am doing here. He tells me good job, he praised me in front of everyone for putting myself through detox to get into the program to have a negative test. He sees that I want it. I pretty much said, “screw you” to the attorney who was not helping and addressed the judge directly. I told the judge that I haven’t seen my daughter in a month because they would not bring it up.

**Attorneys' influence on experience.** Five out of the eight participants stated experiencing having more than one attorney. They felt powerless because there was nothing that they could do to avoid it. The majority of the participants stated that they appreciated when the attorneys explained what was happening. One participant reported that her attorney went over her case plan with her and explained things that her social worker did not. The participants who had an attorney that listened to them and answered their questions experienced feeling appreciation towards their attorney. They felt like they had a voice in the courtroom. Participants that did not have the same attorneys experienced feeling abandoned, alone and without a voice.

***Justine:*** I had my own attorney; up to this day they switched my attorney 4 times. I did not know this lady until I walked in and sat down next to her “oh you are my new attorney. Hi!” I feel confused, conflicted, like they are just kind of going through the motions. I am trying to talk to this person who is supposed to be representing me in the court in front of the judge because they can't get to me beforehand. I put in the effort, I have logs and times and dates that I have called, left messages. I am more comfortable now in court because I have decided that I am powerless. Whoever they are going to throw next to me is who they are going to throw next to me. But I don't feel like I should have to accept that. I do just because I do not have an option.

### **Theme Three: Anxiety Caused by Long Waiting Periods and Feelings of Confusion in the Courtroom**

Parents expressed feeling sad, anxious, judged, incriminated, and scared as they waited outside of the courtroom waiting to be called. Janice described, “There was a long line and I was just waiting. It was like sitting on death row, you are about to be charged for murder.” The majority of the participants thought that the dependency court was a criminal court.

All of the participants experienced having to wait for long periods of time. Participants experienced feeling very anxious as they had so many questions. They described forgetting what they wanted to ask due to the fact that the court goes by so fast. Emelina shared, “My appointment was at 8:30 and they did not even start until 9:30 or 10am. The attorney spoke very fast and used codes to that I did not understand, this made me very nervous.”

#### **Theme Four: Reaction to Services Mandated by the Dependency Court Unit**

Parents’ reaction to services mandated by the dependency court varied depending on their experience with the social worker. If parents felt that the social worker was providing the information necessary for the parent they were more receptive to the services. Parents described feeling relief when they accomplished something on their case plan and acknowledged that time is very valuable in the dependency court process.

When parents saw that the personnel in the dependency court prioritized visitation parents experienced a feeling of relief, support, and happiness. When parents were told that they needed to create a bond with their newborn, or maintain a strong bond with their child, parents experienced support.

*Tamika:* My baby was gone for about a week and the judge said, “We need to get her visits going.” I was excited and ready. I felt like, okay they are not all against me. They could have been like “Oh no, wait on the visits,” but no, they are not trying to keep my child from me.

Mothers experienced a sense of helplessness and frustration in their experience in the dependency court when they saw things on their case plan that they



felt they could not achieve or did not need. Kim expressed that the case plan should be thoroughly discussed in a positive light rather than in a negative. She stated, “It’s important not just to finish what they gave me but actually help me so that I never have to have to go through this again.” Janice and Pamela describe their experience as follows:

**Janice:** The court social worker asked me if there was anywhere I could go, and I don’t have anywhere else I could go right now and I felt so mad. (Crying) I felt mad because she would still be here if I could leave and not be on the streets and have a stable place to live she would still be here with me. It’s like the worst feeling. I felt so helpless; I felt, there is like no words. I wanted to take her and run. Afterwards its like I couldn’t control how hurt and just devastated I was. I couldn’t think straight. When I get nervous my hands get really sweaty. I was sitting in the courtroom doing things that I do when I am nervous.

**Pamela:** The court social worker asked me if I was on drugs and I told her that I quit. I quit for two weeks and then she put in my case report that I had been using meth. When I went to court again they told me that I needed to take a drug test. She asked the judge to take a drug test of me because of my drug history. I did not understand why they could do that. So I denied the test. I was like “why should I take a test, I never had a past drug history or been arrested.” It backfired on me as soon as I told them that I would not take the test. They told me I had to do the 6 months living program.

**Outlier.** Lisa felt supported and received the services that were recommended by her social worker. She experienced feeling empowered and educated by the things that she learned. Her social worker explained to her the purpose of the case plan.

**Women in residential drug and alcohol placements.** Women in residential drug and alcohol placements stated that they did not know what services were offered. They experienced isolation when it came to knowing about the services

available. The women that were not in residential homes did not make any comments regarding not knowing about services.

*Janice:* There is a lot of girls in the program that are like “what do I do next?” One day a lady came and she had a meeting and she was like “ask for your services,” use them, and I was like, “wait they have more than just this drug and alcohol program?” We don’t even know what is available.

### **Theme Five: Disclosing Information Slowly and Omitting the Truth as a Form of Survival**

Parents reported that they chose to omit part of the truth due to their fear of being reprimanded for it. They feared that their honesty would cause a backlash and would be used against them and make it harder for them to ever be reunited with their children again. Parents who decided to “fight” the social workers took that approach because their social workers were rude or judgmental and lacking respect.

*Pamela:* It probably would not do me any good anyway but I still have some recordings of conversations I had with my social worker in North Dakota. I did not trust them and I was upset. Then I got another worker and that is when everything started getting better. She would listen to me, she would let me talk. My other worker was rude to me. I don’t know why. I thank her now because I did need the help

**Disclosing part of the whole truth due to fear.** The majority of the participants described hiding information from their social worker because they felt that the information would cause the social worker to think that they were unable to care for their children. Kim and Pamela describe their feelings below.

*Kim:* How is my social worker going to take this if I say this? Is she going to look at me and say, “You don’t deserve it anyway,” and just shut the door. Or for instance, extra counseling, I didn’t

know that could be another option. I thought they would be like; “Hmm maybe she is not fit to be a mom.”

***Pamela:*** I didn't tell them that he was hitting me. I can't really explain that part, because it was my fault too. I didn't open up to them that I needed the help. But I think that they seen that I needed the help but I was scared to ask for it. This took him putting a knife to my throat for me to leave. I did not want to do that because I thought I would lose my daughter. But if I could I would have told them the truth from the beginning about my partner hitting me. About everything. If I was honest since the beginning they would of probably been able to help me more in the beginning. Instead I pushed them away just like I did everyone else that was trying to help me. I don't blame them because I didn't tell them the whole story about me and my partner and what he was doing. I tried to keep everything from CPS. I did not trust them. I think that they should go treat people like they want to help instead of going in there with a bad attitude like they are there to hurt. A lot of people are scared of CPS, they really are. They don't realize that they are there to help until it is too late. Fighting them in the beginning it - does not help.

### **Theme Six: Not a “Bad Mom”**

A majority of the participants stated feeling horrible for what they put their children through. However, they did not consider themselves as “bad moms.” They described experiencing a period of trying to process what happened during the dependency court process. A majority of the parents expressed comparing what happened to their children under their care to how other mothers cared for their children to try to determine if they were a bad parent.

***Janice:*** There are people who, I have witnessed some things and its like “I'm not even doing any of that!” but still my kid gets taken away. There are people who sleep in parks and tents with their children. I am in a house with a mentally not capable person and its not like my baby girl is harmed.

**Lisa:** They are doing their job and there are parents that do not deserve to be called a parent because they are not good. But I felt I was a good mom just because I have a sickness doesn't mean that I couldn't take care of my kids. I am not a drug addict, I don't drink, I am not abusive to them, I don't yell at them.

**Tamika:** I have seen some sucky parents. I have seen things at the store that make me want to call them, and tell them look what I just seen, that I don't think is appropriate. I can't say CPS is against parents.

After this stage in their dependency court experience they moved on to trying to determine what they would do. Participants stated that many times parents can harm themselves after their children are taken away due to the inability to process their feelings and thoughts. Pamela is one of the mothers who was so overwhelmed and she shared her experience.

**Pamela:** I lay in my daughter's room and I cried. I did not sleep for like a week with no drugs. I just lay there. I cried and I cried. I cried myself to sleep. I would not eat anything. I was depressed. I hated myself for it too. I was not only mad at CPS I was mad at myself. I had taken a whole bottle of pills and it did not work. That was stupid. I did not think, because you know my ex the way he was. I wanted to go to AA meetings, I wanted to do everything they asked me to do but its like he did not care. He said, "Oh you will nave get her back, you are a worthless mom." He put that stuff in my head. I know I am not but at that time I was not myself. I was chasing the bag and him more than taking care of my kid.

**Lisa:** I had to be strong. At the same time that I got my kids taken away, a lady also lost her kids. She was not strong enough to lose them that she threw herself in front of the train. Now she is never going to see her kids ever again. And they are never going to see her. I really thought I was a weak-minded person, but I am strong. I did not give myself credit for being strong. You have to have a strong mind, because if you don't have a strong mind, you are just going to lose it.

*Tamika:* I did not feel like hurting myself, or harming my other kids, I didn't feel like that. I felt like I had to be strong for my two other kids as well.

### **Theme Seven: Transitions in Self Perception**

Parents experienced a time of transition and self-reflection in their dependency court experience. Heightened undesirable feelings such as fear and anxiety surfaced at the beginning of the dependency court process due to the lack of information received. Parents felt afraid of never seeing their children again, followed by feelings of guilt. Tamika described, "So sitting in front of there I felt like everyone was against me, like some hyenas and I was their prey. I felt like he was looking at me like I was a monster, like this is your child. How could you even? I felt low."

**Transition and self-reflection.** After the Jurisdictional hearing parents expressed that they continued to experience feelings of fear and uncertainty. The majority of parents also described having self-determination to do whatever they had to do to get their children back. Nora stated, "I was upset. I knew sitting there being upset and sad, moping was not going to get me anywhere. I had to get myself together and go through the court. I had to just go in alone and do what I had to do to get them back."

After the jurisdiction hearing, parents also experienced a more positive outlook on the outcome of their case. During this stage in the dependency court they also stated that it impacted their view of responsibility being a mother.

*Kim:* I knew what I did wrong. If I were in the shoes of CPS I would be like "You want what back? Your child? That should be

wiped from your mind.” Since I know what I did wrong, I am killing myself inside; I am punishing the crap out of myself so why should CPS, that is supposed to be protecting my son, be any different. Instead CPS is trying to help more. They are making available to me tools that I can use now and in the future. Every time I see my child and he sees me he gasps and he comes running. That little look on his face, every time he sees me he is so happy. I would rather have that look every time I see him than that first time I came in here that he did not look like that.

**Tamika:** I cried, but crying was not going to get me out of that, it was not going to fix it. I wiped my tears and wanted to fix that problem. That is what kept me afloat because I knew that it could be fixed it wasn't too late. I had to stand up on my own two feet after that moment, that day forward I wasn't boo-hooing around I got on it and started doing what I had to do to get this right. I was ready to get out of that courtroom and get started on what I had to do to fix this problem and make sure it never happened again. I have changed. Ever since I have been going through this, I say, “No, this is what needs to be done, even if its raining and I don't have a car I need to take my daughter to the doctor”. That is why I am here now, because of something this little that worked itself to something big. It has changed me a lot in my parenting. Basically I have to do whatever it takes; there are no excuses for anything. This journey taught me a lot. Parenting classes and counseling, all of those things help. This experience for me is an eye opener. I would never want to go through it again.

**Lisa:** I think for the better. Yea, because if I didn't get out of the house and do all of this stuff that they are telling me I would probably just be in my room. I think it changed my life for the better. Leaving the house, I couldn't even leave the house. Now I am doing things that I know that a mom has to do. Cleaning the house by myself. It changed being more active and interactive with my kids. I still have another couple months of hard road to get them back but I am doing a lot. I got this. I am doing a lot already to get them back.

**Pamela:** At first I was mad, and hating on them. Now I made that choice of taking those drugs. I took the choice of being with my boyfriend that hurt me. I have learned a lot about myself the hard way. My drug and alcohol program, I did not know what to expect. We all have our stories everyone is different. Before I kept to myself, now I am open more. I just keep doing what I have

to do and they will give me my daughter back. I have to show them that I can do this. So far I have nothing but good reports. I just keep working hard to get her back. I am doing everything that is asked of me from CPS and then some, and not just that but I don't want to go back to that.

***Emelina:*** I had to pay attention to the court dates and meetings. A person is always changing. I have learned a lot of things that I did not know from the programs that I was mandated to go to. Now that I am reunited with my baby I can say that I did everything that they told me to.

**Outliers.** Out of all of the participants in this study, only Janice and Justine felt no support.

***Janice:*** I know now not to depend on anybody, that everything that I do, even if it is not intentionally bad, it's going to come back to me. I need to just depend on myself and do things myself. It has made me realize that I need to be more independent. It had a big impact on me. I guess it can be in the end a positive impact, but right now it's a negative.

***Justine:*** What it seems like is that CPS does not really want me to make it. They don't see that I am a good enough person and right now I don't feel like one either. I feel like every person that they switch me off to - nobody wants me. I feel like they think I am a lost cause already. It makes me feel like giving up. I don't think I am ready to be a parent. I love her more than anything in the world. But I don't think I am ready to be a parent, and that is a decision I am going to have to make in five months, whenever I get out of this drug and alcohol program. I do want to leave myself open to the opportunity to be part of my daughter's life, and you know if I need more recovery after this, or can't be a full time mom, I'll make my choice then. I was going to run, and leave her to my mom but I don't think I could live with that. I would like the help, instead of my decision being made for me. I am willing to fight them too. I will fight for myself, fight for my daughter, fight them, and fight my significant other; I am willing to fight everyone. I feel like I am being working against me and not with me.

### **Theme Eight: Advice for Service Providers**

At the end of each interview participants were given the option to offer advice for service providers in the dependency court. Based on their answers, parents highlighted the importance, hope, expectancy, respect, communication, honesty, and empathy for a positive dependency court experience.

***Nora:*** When people in the courtroom treat you with respect it is easier to go through the process. Like when you talk to someone, I don't really know how to put it... like talking down on you, even though you were wrong they are still a point where you need to be respected, even though you did something wrong. There is a point. Talk to your clients so you can know how the parents feel, when you actually communicate with the parent you will know how they already feel and you can come at them in a more understanding way. Try to be more helpful.

***Tamika:*** What makes the most positive difference in me as a parent is how people treated me in the court process. You can positively influence parents' experience in the dependency court. First of all you have to think positive about them. Act with hope. If you are thinking negative you are going to come out negative and parents are going to feel like the courts is against them. How I felt at first. Concerned people make the difference. Be concerned about people in difficult situations. That is what I feel makes the difference; People who are genuinely concerned. People pick up on that. Be concerned. Listen; be open for listening to people. At the same time I think my advice is listen to them and care about their feelings, they are not going to be feeling happy but listen to them. Remember that their child is not with them. Make them feel that you are working with them, explain to them, like my workers had to do with me. Explain it and break it down. I think you should let them know, even if they don't like what you say. It does not matter. Sometimes it takes for a person to have to hear that for them to snap out of it. Sometimes they might break down and cry, break to their knees but sometimes it takes that for someone to really get it.

***Janice:*** I wish they could empathize more in the dependency court process. I feel like at least they can try. At the end of the day I still love my daughter and at least say something like "I see that you



love her we are going to try to reunite you.” Not like ok time to take your baby lets go. It’s like she was rushing me saying lets go after court when the judge ordered her to be detained.

**Justine:** Advice: say what you mean and mean what you say. Follow through. Give as much information as humanly possible even if they say they don’t want to hear it, do it anyway. Write as many pamphlets as you can, not only how the process works but a list of your services, what you can provide. Attorneys can meet with the parents beforehand; make sure that they know exactly what they are doing instead of just what the allegations are afterwards too. Check in with them. Make sure they are doing okay. Don’t say something that you don’t mean, period. It is trying to keep one attorney per case, try you know to not switch things around. Never make a promise you can’t keep. If you need to take a lighter caseload to meet everyone’s needs, do that. I know that they assign them, but, get more people. DO NOT, do not judge somebody. Do not ever judge somebody just because they had drugs in their system. Ever. You don’t know what that person has been through. Give them the chance until they prove you wrong. That is probably the most hurtful thing that somebody can do, is be the one who is assigned to support you and not support you.

**Kim:** Give people a chance. Don’t take one for another. We are all worth saving. You know. Maybe it’s not our time, and maybe we will make a mistake but eventually we will realize things. We already don’t have faith in ourselves. The last thing we need to do is try to work with someone who doesn’t either. I know we brought it upon ourselves but we are asking for help and we are trying to better ourselves and it’s hard to do that. I think it would help to have social workers that are more service fluent.

**Emelina:** Pay a little more attention to the parents’ needs. Not all of us have the same needs. A lot of us don’t have help from anyone and we don’t know where to look for that help. Someone should sit with them and explain things in detail. Have people who speak to them in their native language. Do not treat us like we are all the same, or think that we all feel the same about what is happening. Maybe they don’t really care about how we feel, because it is just your job you know, because you have to do it. That is not right. I am not saying to always be there and even care for the person a lot, I am just saying to show that you are there to

help them. Talk to them and find out why things are happening. Do not assume. There is a reason.

**Lisa:** Just to be patient with each parent. Put yourself in their shoes. I'm sure every parent no matter what loves his or her children somewhat. Just understand the difficult parents and be patient. Help them relax and calm down. Tell them that you understand what you are going through and assure them that they can get help and get their kids back if that is possible. Be supportive, as supportive as you can in that process because it is a very difficult and hard road. Just take your job a little bit down to earth. They take the authority too strong. My social worker, she would walk in like that, I didn't like her. I hated her. So much. They are human just like everyone and I am sure they make mistakes. I had another worker; I could tell she takes her job down to earth. She is real calm. You know, just don't take our job to your head. Maybe it sounds rude, but be a little more humble. I am not better than you and you are not better than me we are all the same under God's eyes. Treat people equally. I know this is a job that people are doing, what they have to do, to eat, but still treat people with respect, like you want to be treated. Put yourself in their shoes. There is no better way to help people, than to treat them how you would want people to treat you.

**Pamela:** They should not have taken my daughter the way that they did. I was hurt, I was sad. I felt like I needed to have that time with my daughter before they took her. I needed some time to explain to her what was going to happen so that she did not hurt as much. After I went to court and they told me they were taking her I walked out of there, I was mad. I had to fight them to have a little extra time with my daughter. I told them that they did not have a house warrant and the social worker had to go get one. They should have treated me good in the beginning, we are all the same. Just because I was not in my right mind at the time because of everything that was going through I am still a person too. They should not treat you like they are better than you. Don't come off so strong, "I am up here and you are down here, make you feel like little people, they have the control they have the power they can stomp on you if they want to." That is how I felt. Made me feel weak; you know what I mean. We want to get better too; some of us don't know how to do it right away. Some of us don't know how to get the help. Some people grew up like that. They do not know anything different

## **Theme Nine: Transforming Experience of CPS**

The majority of parents had negative thoughts and information about CPS prior to experiencing the dependency court system.

*Nora:* I used to hear that nothing good came out of the court. But that does not seem true. It does not seem true because since I have been going there, good things have been happening. Even though it's a bad situation it is still good. There is nothing bad it is just more of trying they are trying to really help us get the kids back. That is why I don't feel anything bad towards CPS because they are not trying to keep us away from the kids, they are trying to make it better.

*Tamika:* At first I thought that just because I knew that they could take your kids that I really did not care too much for them. Put it this way - I didn't really care too much for them to where I would ever have to get involved with them. Things happen and I am a good mom. It can happen to anybody. You know, now I have no problem with the dependency court. It helped me change the way I look at a whole lot of things. It did a change in me. I have been through this experience. I think that it is good that they have that. Some people in the world need that. I think that is a good thing. I have no problem with that. Whoever even thought of child protective services is a genius; there are a lot of people out there that need it.

*Kim:* I heard nothing good about CPS from everyone else's horror stories so I did not know what I was stepping into. I just knew what everyone anyone that has dealt with them said. "They are horrible they take my kids away and threw me out." Saying they don't want to give you your kid back, they barge into your life. Just their stories of basically their denial I guess of what it really is. Now that I am involved in them, I realize that if I do the work they are there with me. So obviously, the horror stories that I heard were people who just thought, "You should give me back my kids anyway, no matter what I am doing." Now I see that they were not doing what they had to do to get their kids back.

*Emelina:* I used to hear that CPS could take away people's children. I also heard that they made up lies. I knew they took kids but I did not know exactly how it worked. It was just things I heard from people. Now I am reunited with my baby and I am

happy. I did everything that they asked me and I never want to be in the bad situation that I was in ever again.

***Lisa:*** I have seen it through the Internet. On Facebook there is a page that says I have CPS and I am always reading things on there; it says that CPS are stealing the kid. I don't believe that. I believe that CPS is protecting the kids. I don't think anything bad of the system. The system is here to protect families. That is what I feel like. My kids both have foster parents that are really awesome. I have a really good relationship with the foster parents of my older ones. The other ones I don't have too much great relationship but I know that my kids are getting taken care of. They are in good environments right now. That is why I am happy about all this stuff.

***Pamela:*** I don't blame CPS but there are some things that I don't think is right how they did it. But they did help me. One thing that is good about all this that happened is that once CPS did come into my life they got me away from a bad situation I was in and to wake me up. My experience was like "Hello, you are messing up! Wake up! Take care of your kid! Take care of your life!" That is how I see it. It is like a wake up call.

**Outliers.** Janice and Justine did not make similar observations in their experiences; they simply acknowledged that they know that CPS is meant to keep children safe.

### **Hermeneutic Summary of the Essential Themes**

Participants identified experiencing fear as being the overarching strongest feeling in their dependency court process. The process of waiting outside of the courtroom for their name to be called was a specific moment in their dependency court experience in which they felt a great amount of anxiety and uncertainty. Feelings of guilt, shame, and intimidation influenced how parents perceived their experience in court. These feelings when interacting with social workers also influenced how receptive they were to services in their case plan. Parents also

demonstrated the use of self-reflection during the dependency court process. Participants experienced intimidation in communication with social workers due to the amount of power that a social worker had in their cases. All of the participants expressed the need to feel respect and empathy when interacting with social workers in the dependency court. Lastly, all of the participants agreed that despite the undesired feelings in their dependency court experience, the goals of the dependency court are good because they seek to keep children safe.

## CHAPTER V

### DISCUSSION

This chapter begins with a summary of the research and then discussion of the conclusions that have been reached as a result of interviewing the eight participants involved in the dependency court process. The nine major themes presented in chapter four organize the conclusions. The themes and events have been grouped into categories to present the major findings. This chapter also discusses the major findings in relation to the knowledge base, limitations of the study, and implications for future practice, policy' and research.

#### **Summary of the Research**

The purpose of this research study was to examine parents' experiences in the dependency court in child welfare. This researcher, in collaboration with San Joaquin County Human Service Agency, gathered the unique life experiences of eight participants who attended the dependency court in Child Welfare due to allegations of neglect. The testimonies of the participants supported both the purpose and problem stated in this research. All of the participants were eager to tell their stories, and several revealed that this was the first time anyone had showed interest in their perspective about navigating the dependency court process, thus validating the problem statement.

This study is clearly phenomenological in nature. It is concerned with understanding the shared conscious experience of the given phenomenon of the

dependency court in child welfare. The results of this research demonstrate that in the process of navigating the dependency court each individual has a unique personal experience, but this researcher also discovers the “essence” to the combined experience of most of the participants (Creswell, 1998).

### **Theoretical Considerations**

The results of this study are situated within the analytics of Berger and Luckmann’s (1967) theory of social constructionism and Sidanius and Pratts’ (1994) theory of social dominance. These theories help interpret the meaning of the participants’ experiences involved in the study. The theory of social constructionism is a means to view the development of meanings through social interactions and how understandings are created through the process of social interactions, contexts, and a “community of understanding” (Cottone, 2007, p. 193). This researcher viewed the development of meanings through the social interactions that parents described to have with the dependency court personnel. The understandings were created through the combined process of social interactions of participants which created the “community of understanding” also known as the major themes culled from the data. The theory of social dominance fits with the need to interpret the participants’ experiences in the dependency court through their interactions with others and to provide another lens to explore meaning.

## Major Findings

### Resilient Parents

The results of this study mean that the understanding of parents in the dependency court in child welfare is incomplete and emerging. The findings from this study validate much of what has already been reported about parents involved in child welfare, but also included several new discoveries that pertain specifically to parents in the dependency court.

Wattenberg, Kelley, and Kim (2001) state the main problems that led to parents' termination of parental rights in child welfare. Among them were substance abuse, domestic violence, and acute poverty. The findings in this study show that, consistent with the literature, the participants also fit the standard research profile of parents described by Wattenberg, et al. (2001).

All of the participants reported for charges of neglect lived in poverty with a single parent status. Concerning poverty, Tamika, Justine, and Pamela were at one point in their life homeless. In regards to overall health and wellbeing, Nora is being assessed by mental health due to her "inability to understand" and to determine if she can take care of her children. In a like manner, Lisa is a single mother like most of the other women who suffers from severe depression and anxiety. She is also an only child to an elder disabled mother who also lives with her. Concerning prior child welfare history, Justine was in foster care as a child and was adopted out of the system. Similarly, Janice is a product of the child welfare system and was abused as a child while in foster care. Now at the age of 18 she has a CPS case of her own.



Pamela was neglected by her mother as a child and was a victim of domestic violence, which is consistent with the conclusions of Putnam-Hornstein (2015) who makes the observation that mothers with substantiated maternal maltreatment history by a caretaker may not only have consequences for the victim but also may contribute to next generation health outcomes and maltreatment risk for future abuse and neglect in the next generations. On the subject of trouble with the law, Kim has an extensive criminal background. Notably, only Emelina's partner is currently involved in the life of her child.

The participants in the Wattenberg, et al. (2001) study specified the main problems that led to parents' termination of parental rights. The results in the Wattenberg, et al. (2001) study failed to include reasons to why these parents failed to comply with services. This study provides insight on how parents viewed themselves and their problems while navigating the dependency court and offers insight on what social workers can do to help parents in the midst of all of the obstacles. Parents' feelings and experiences varied due to their unique stories, however this researcher found common themes within parents' experiences.

### **Lack of Hope and Expectancy**

All of the participants stated their desire to be treated as "humans." Through engaging in a clarifying conversation with the participants, this researcher discovered that parents described being treated as "humans" consistent to DeBoer and Coady's (2007) description of a treatment that is "soft, mindful, with a judicious use of power and a humanistic attitude and style" (p. 35).

*Pamela:* They should have treated me good since beginning. We are all the same. Just because I was not in my right mind at the time because of everything that was going through I am still a person too. They should not treat you like they are better than you. Don't come off so strong, "I am up here and you are down here." Make you feel like little people, they have the control they have the power they can stomp on you if they want to. That is how I felt. Made me feel weak you know what I mean? We want to get better too; some of us don't know how to do it right away. Some of us don't know how to get the help. Some people grew up like that. They do not know anything different.

Parents stressed the importance of being treated as humans and not as drug addicts, not as deviant people, not as abusers, or like Tamika mentions like "monsters."

Parents hoped to form what Reiter (2010) describes as a collaboration of a working relationship with the social worker in order to develop solutions that increase their expectancy of change and their hope for a positive outcome. However, the results indicate that the majority of parents felt initial negative feelings of distrust towards social workers due to the lack of communication perceived by the parent from the social worker.

In accordance with McConnell and Llewellyn (2005) the data gathered from this research asserted that it is the relationship that the caseworkers have with the parents, and vice-versa, that is assumed to direct the beliefs about and perceptions of one another. The quality of relationship that parents have with their social worker in their dependency court process and vice-versa also assume to direct how the actions by both are interpreted throughout the life of the case. This can be extremely helpful or detrimental to the life of the case in parents' dependency court experience. The

majority of parents describe perceiving a lack of hope and expectancy from their social worker during the beginning of the case. As the process progresses and the relationships between the social workers develop, the experiences of parents in the dependency court process can take several directions that have the potential to lead a case to different outcomes.

### **Lack of Information Main Contributor to Negative Emotions**

An additional finding of this research was that parents in this study expressed feeling a predominant emotion of fear throughout the dependency court process, especially during the initial Detention hearing in dependency court. Parents experienced feeling fear due to one or more of the following reasons: lack of general information about the procedure, fear of incarceration, and fear of automatic permanent separation from their children.

The majority of parents described feeling fear due to the lack of information received because they did not know what to expect in the dependency court process. Parents explained that not knowing what each hearing in the dependency court was for made them feel anxious and worried. Justine stated, “I was scared. I did not know what to expect. They assigned me an attorney; she pretty much introduced herself and walked in the door. I sat there in front of the judge not knowing what was going on. I felt overwhelmed, I felt confused, and lost.”

In addition to feeling scared, parents also felt judged, criminalized, and vulnerable in the dependency court hearings due to not understanding the dependency court process. The majority of participants feared that they would be punished for the

allegations that brought them to the attention of child welfare. Participants feared that they would be punished by being put in jail, not knowing that the goal of the dependency court is designed, within limitations protecting family autonomy, to serve “the best interest of the child” (Ventrell, 1988, p. 26). Parents did not know that family preservation and reunification is the underlying federal policy that is just as important as protecting the child’s best interest. Parents in the dependency process experienced fear that they would never see their children again due to their lack of knowledge of the goals of the dependency court which is to recognize that children can succeed and thrive in their own families but intervention is necessary when the child’s safety is at risk (Ventrell, 1988).

Ashford and Faith (2004) found that justice and trust variables influence parental reactions to the institutions. Parents described intense feelings of anxiety that arose while waiting for the court hearings to begin in addition to experiencing confusion inside the courtroom. The feelings of anxiety caused by a lack of communication in parents’ dependency court process raised disbelief and suspicion on behalf of the parent not only towards the social worker but towards the agency as a whole. Not knowing information made participants feel as if the agency had a secret agenda that involved keeping them separate from their children. The flow chart below describes parents’ different reactions to services offered in the dependency court.

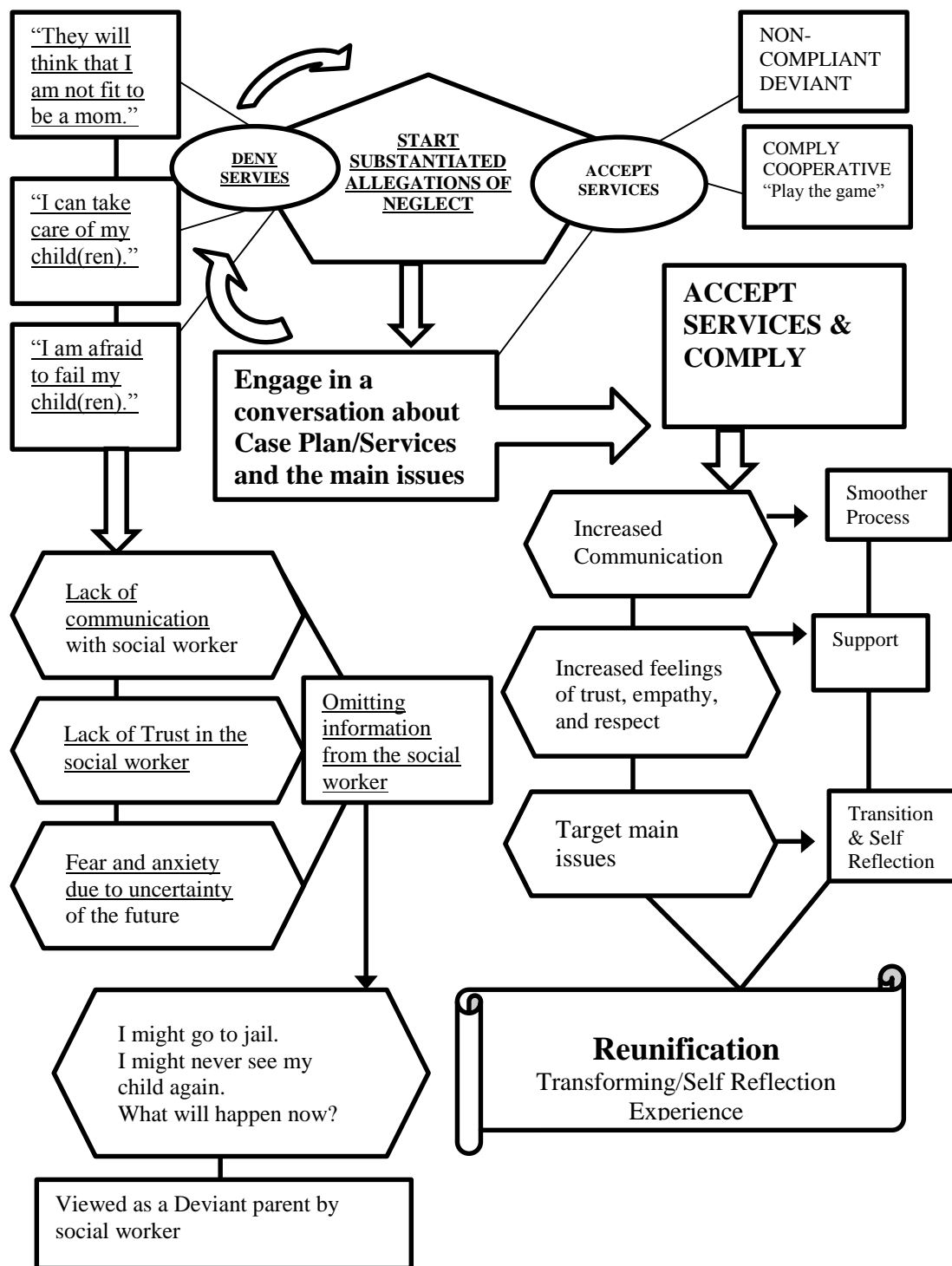


Figure 1. Parents' experience in the dependency court process.

## **Authority and Power**

Ayon (2004) asserts that caseworker's ability to form a good relationship with the parent as one of the strongest tools a social worker possesses. Results in this study acknowledged that parents believe that this good relationship with court personnel, particularly social workers, is important due to the power that a social worker had on the outcome of the case in the parent's dependency court experience. However, parents experienced social workers that initially failed to communicate what the process of the dependency court was.

Social workers also failed to engage in meaningful conversations with the parents regarding the underlying factors that influenced the choices that were affecting them in the present. All of the participants stated the importance of "not assuming" that all of the parents are the same and emphasized the importance of communicating with the parent and being considerate of the fact that they are not with their children, which may cause some discomfort in the beginning when communicating.

*Janice:* I wish they could empathize more in the dependency court process. I feel like at least they can try. At the end of the day I still love my daughter and at least say something like "I see that you love her we are going to try to reunite you." Not like "ok time to take your baby; let's go." It's like she was rushing me, saying let's go after court when the judge ordered her to be detained.

Englih, Marshall, Coghlan, Brummel, and Orme (2002) stated that a caseworker has a position of authority, where perception of client cooperation shapes the next steps that are to be taken in a case. This study provided a different perspective by which to view these findings. Parents that participated in this study

acknowledged social workers as having a position of power. A common element that can be concluded from this research is that parents in the dependency court generally do not have a history of positive encounters with authority. Since the behaviors and treatment that social workers gave parents in the dependency court were not a soft, mindful, and judicious use of power and a humanistic attitude and style as DeBoer and Coady (2007) described, their negative perspective of authority remained consistent with their experience while interacting with social workers in the dependency court.

Parents also acknowledged the position of authority that judges had, however the majority of parents experienced a positive experience when interacting with them because parents felt respected and listened to by the judges since the first court hearing. Participants experienced having different attorneys in the dependency court, which contributed to a negative experience in the courtroom.

### **Case Plan and Services Receptiveness**

Parents described their reactions to services mandated specifically by the Dependency court and stated that this experience varied depending on their interactions with the court personnel. If parents perceived that they could communicate with their social worker, parents tended to feel an increased level of “trust” with their social worker. In effect, social workers would perceive parents as being more cooperative. This positive relationship between parents in the dependency court led to a good client-social worker relationship. Parents described a good relationship stemming from receiving open communication, empathy, and

understanding from their social worker. Similar to DeBoer and Coady (2007), parents in the dependency court described a social worker as “effective” when the social worker demonstrated to “care” about their job and not just do “the paperwork.”

Participants demonstrated responding to intervention consistent with Jenkins (2011) who found three ways of responding to intervention: parents fought workers by openly opposing them in the dependency court; parents “played the game” by pretending to engage in co-operation; or parents worked with them in collaborative relationships in order to reunify with their children.

Jenkins (2011) found that parents experiencing power being used over them tended to fight or play the game. This study also found a different perspective to Jenkins (2011). Parents describe the services as “help” but many who “fight” do so because they are afraid that if they agree to services that target the issues present in their lives such as drugs, alcohol, or domestic violence, they would be viewed as more unable to care for their children. Parents worried that if they were honest about their needs that information would backlash on them and hurt the reunification efforts.

Parents experiencing power being used with them in the dependency court also tended to work with intervention. Regardless if the parents felt they needed the services mandated in their case plan or not, parents who felt understood and respected by their caseworkers, their attorneys, and the judge also indicated a more positive experience with the required services and the court personnel overall.

Jenkins (2011) found that parents indicated a greater feeling of self worth and confidence; despite the diverse reasons these women entered the system if they



experienced power being used with them and not over them. In addition to the observations made by Jenkins, this researcher found that parents also undergo a process of transformation within themselves at the end of their disposition hearing, only if they experienced power being used with them, because it enabled them to work with intervention and contributed to a positive receptiveness to the services mandated by the dependency court.

### **Openness and Honesty**

Levin (1992) offered reasons why parents did not comply with services. The reasons included parents' feelings of shame, ambivalence, and inadequacy. This study found supporting evidence for Levin's findings but also offered additional reasons that can lead to parents not complying to services specifically in the dependency court. This study found that parents in the dependency court did not comply with services mainly because of lack of information on the goals and purpose of the dependency court. In this study, parents described disclosing information slowly due to the fear of being criminalized or fearing that their honesty would backlash on them when it came to reunifying with their children. This was viewed by the researcher as a defense mechanism, as parents felt that they were alone in the process due to the lack of information between the social worker and the parent.

### **Self Reflection and Transformation**

Levin (1992) described parents as having to go through strong psychological reactions caused by the removal of their children. The first phase that parents had in the dependency court in the initial detention and jurisdictional hearings included

feeling guilty for the event or series of events that led up to their child welfare case coming to the dependency court.

The results indicate that parents perceive the labels placed upon them in society as a whole in the dependency court. The historical stigmatization of parents that is described in McConnell and Llewellyn (2005) is not something of the past. McConnell and Llewellyn (2005) state that caseworkers attributed the problems that brought families to the attention of child welfare to deviant parents and not the social inequalities that are present. Still today, participants described feeling “stepped on.”

The second phase of transformation included parents determining what they would do moving forward despite the treatment they received. Based on the data gathered, and the previous literature, this researcher concludes that this is where self-determination has a major influence in a parent’s dependency court experience and case outcome. The parents in this study were able to be resilient when they encountered court personnel that did not contribute to a good experience. This resilience came from parent’s ability to use self-reflection to process what they were experiencing.

Although parents stated that they experienced a period of self-guilt directly after their detention hearing, this research also found that the majority of parents with a child protective case due to allegations of neglect stated that they did not see themselves as “bad mothers.” Characteristics that can be attributed to mothers feeling that they are not a “bad mother” include their determination to not “give up” or “doing everything they can to get their kids back.” Mothers who did not have a

neglect case due to drugs and alcohol made connections between being a bad mother and using drugs. Mothers that did use drugs and alcohol made connections between giving up and being a bad mother.

Participants described a process in which they sought their own thoughts and analyzed themselves, their interactions with others, their relationships, feelings, and beliefs about their experience in the dependency court system. Self-reflection played a very important role in the participant's sense of personal growth and development. Parents shared their self-reflective processes leading to their personal and emotional outcomes, the identification of shifting patterns in their lives, and the acknowledgement of their paths towards accepting their mistakes and making choices to amend them.

The third phase includes parent's evaluation of their whole experience in the dependency court. Parents took into consideration everything that they encountered, good and bad, and came to a conclusion that despite the lack of communication, the feelings of being inferior, the long waiting periods, to name a few things, they agreed that the goals of child welfare were good and that although they felt that the way that they were treated was not what they would have hoped, that the outcome was positive.

### **Interpretation of Findings**

This study also offered a multidimensional perspective by which to view court personnel by taking the information that is already learned through the literature available on this topic and applying it to practice. What is conclusive from this study

is that all of the participants were trying to reunify with their children and found the Detention hearing to be the most difficult part of their dependency court experience. The interviews placed greater emphasis on services, relationships, and feelings of fear. What is also conclusive is that all of these participants yearned for therapeutic relationships with their social workers but did not have them; this was an obstacle to them in the beginning. They did not experience power used with them and this affected their receptiveness to services mandated by the dependency court.

### **Implications of the Major Findings**

#### **Practice**

The findings are meaningful and important to direct social work practitioners in several ways. Even though participants may have answered the question simplistically as to how they felt, deeper investigation into the data showed that their feelings and experiences were multidimensional. These major findings offer several suggestions for the manner in which social workers are prepared (trained/educated) for their role as service providers.

In light of the information available, this researcher makes the following observation: Parents involved in the dependency court in child welfare are forming “good relationships” with the court personnel based on their feelings of being inferior to them. Parents internalize this feeling and navigate the dependency court process with this unhelpful thinking. Implications for practice involve increased communication on the goal of the agency, goals of intervention (case plan/services) and clarification of the dependency court process. Incorporating the use of cognitive

behavior therapy when parents in the dependency court face fears based on faulty thinking, myths, or wrong information about child welfare might be useful.

Additionally, since caseworkers have a position of authority, and this study demonstrated that participants are knowledgeable of that, social workers should strive to be cognizant of the fact that perception of client cooperation is not the only factor that should shape the next steps in the case of the parent. What also has the potential to shape the next step in a case is when a parent has the ability to view authority in a positive light. This can take time, but the results in this study indicate that most of the participants need to feel empowered in this situation where they feel stripped away from everything.

Finally, Leathers (2002) states that research has not fully addressed parents' role in the system. However, this study provided rich findings on themes that parents experienced that can help social workers communicate to parents what their role is in the dependency court system and how they do have great influence on their case outcome by knowing what they can do and what they still have control over. Examples can be letting parents know that communicating, asking questions, and stating their fears will assist in making sure that the court personnel are working with the parent to keep the child safe and reunify the family when that option is adequate and contributes to the child's well-being.

Participants shared their own concluding thoughts on their experience. Participants offered valuable suggestions for social workers to use specifically in the dependency court process that can be used as implications for practice.

**Policy**

Developing understanding about parents in the dependency court will help social workers, researchers, and policy makers better understand this population. A greater understanding can lead to creating and amending policies, services, and programs available to parents in the dependency court. Social Workers, Judges, Attorneys, and Parents should receive specialized training in juvenile dependency prior to working in the field that covers service delivery and how a lack of ethical practice can be detrimental to parents' reunification efforts. Additionally, on a macro level, social workers should advocate and create more efficient ways in which to distribute information and assistance to this population.

**Limitations**

A methodological concern that might impact the major findings is the small sample size of this study. This study included three Caucasian mothers, two African American mothers, and two Hispanic mothers. This researcher did not have access to other ethnicities and is unsure if the findings would be consistent if other ethnicities were interviewed. Many of the participants came from low economic backgrounds with low rates of high school graduation; difficulties of participants expressing themselves is a potential limitation. Data gathering can take up a great deal of time and getting approval from agencies in order to recruit participants can be challenging.

**Future Research**

These findings suggest, for the social work profession as a whole, that despite the vast amount of literature on social worker client relationships there is still a gap in

knowledge about parents in the dependency court and service delivery. This study can be used as a building block to continue building the knowledge base about parents in the dependency court to improve the child welfare system's treatment and interaction with parents.

This study only included parents with allegations of neglect. Future research should include parents with other types of allegations; this would give us greater insight and knowledge about this topic. Particularly, this study only included women. The perspectives and experiences of male fathers are very important. Parents with different backgrounds and ethnicities should be interviewed in order to understand if their experiences are consistent with the findings of this research.

Additionally, there are parents in the dependency court process that are not legal residents of the United States. Their experiences are also important and should be researched to ensure equal service delivery. Parents who do not speak English face a different barrier and exploring their experiences in the dependency court has the potential to assist this vulnerable population.

Lastly, a longitudinal study of the experience of parents in the dependency court would be appropriate for future research. An interview before/after the detention hearing, before/after the jurisdictional hearing, and before/after the disposition hearing would make significant contribution to the knowledge base about parents' experiences in the dependency court system.

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## APPENDICES

## APPENDIX A

## LETTER OF SUPPORT: SAN JOAQUIN COUNTY HUMAN SERVICE AGENCY



**MICHAEL MILLER**  
Director

P.O. Box 207056 102 South San Joaquin Street Stockton, CA 95201-3006

Tel: (209) 468-1000  
Fax: (209) 468-1985


March 17, 2015

*CalWORKs*  
*Heart Start*  
*First 5 San Joaquin*  
*Children's Services*  
*Adopt and Community Services*  
*Mary Gaudin (Toliver's Shelter)*

University IRB Coordinator  
University Institutional Review Board  
California State University Stanislaus  
One University Circle  
Turlock, CA 95382

To California State University Stanislaus Institutional Review Board,

This memo certifies that Grecia Sanchez has shared and discussed the study with a representative of the Human Service Agency. The agency is aware that the purpose of this research is to learn about the experience of families in the Dependency Court process. The agency is aware that their role in this study is to ask social workers to identify families who have gone through the Dependency Court process through Disposition and agree to provide that information to Grecia Sanchez to conduct an interview with the families. This memo also confirms that this graduate student intern, as part of her education in the MSW Program at California State University Stanislaus School of Social Work, has permission to conduct the above stated study.

Sincerely,  
  
John Green  
Deputy Director, Children's Services

Our Mission is to lead in the  
creation and delivery of services that improve  
the quality of life for our community.



APPENDIX B  
INFORMED CONSENT

You are being asked to participate in a research project that is being done to fulfill requirements for a Masters degree in Social Work at CSU Stanislaus. We hope to learn about your experiences in the dependency court. If you decide to volunteer, you will be asked to participate in a one-hour interview session with the researcher. With your permission the interview will be tape-recorded in order to transcribe the data.

**Your answers will be confidential.** The records of this study will be kept private. The information collected will be protected from all inappropriate disclosure under the law. In any sort of report that we make public we will not include any information that will make it possible to identify you in any way. Research records will be kept in a locked file; only the researchers will have access to the records. The audio tape-recorded interview will be destroyed within one year of it's taping.

There is no cost to you beyond the time and effort required to complete the procedure(s) described above. It is possible that you may find some of the questions about your experiences to be sensitive. Taking part in this study is completely voluntary. You may skip any questions that you do not want to answer. If you decide not to take part or to skip some of the questions, it will not affect you in any way. If you decide to take part, you are free to withdraw at any time.

If you agree to participate, please indicate this decision by signing below. If you have any questions about this research project please ask any questions now. If you have questions later, you may contact me Grecia Sanchez at [gspanchez14@csustan.edu](mailto:gspanchez14@csustan.edu) or my faculty sponsor, Elizabeth Breshears at 209-667-3818. If you have any questions regarding your rights and participation as a research subject, please contact the Institutional Review Board (IRB) at (209) 667-3493. You will be given a copy of this for to keep for your records.

Sincerely,  
Grecia Sanchez  
Masters of Social Work Student

**Statement of Consent:** I have read the above information, and have received answers to any questions I asked. I consent to take part in the study.

\_\_\_\_\_  
Participant Signature

\_\_\_\_\_  
Date

## APPENDIX C

## INTERVIEW GUIDE

1. Can you please tell me a little bit about your background?  
Age  
Ethnicity  
Education  
Occupation
2. Can you please share with me what led you to be involved with the dependency court?
3. How did/do you experience the dependency court process?  
Probe: Before, during, after
4. What were you feeling before attending court? What was going on in your mind? Please describe to me how it is like with as much detail as possible.  
Please try to be specific.  
During court?  
After court?  
Now?
5. Before attending dependency court what did you think it would be like?  
What is your perspective on court now?
6. What value, if any, has been derived from that experience? What impact did experience of attending the court hearings have on your life?
7. Did you feel like you had a voice in the process? If not, what do you think should have happened in order for you to feel like you had a voice?
8. Is there anything else you would like to add regarding your lived experience and what this was like for you?
9. Is it important to you for social workers and professionals who work with clients in child welfare to understand what your experiences are in dependency court?

Voluntary: Is there any advice or suggestions you would like to give to social workers that provide assistance to families in the dependency court in child welfare?