

Experiences of Parents with Psychiatric Disabilities Who Are Involved with the Child Welfare System: Perspectives of Parents and Legal Services Staff

Samantha Shortall, Luca Swinford, & Miriam Heyman
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Summary & Main Findings

Parents with psychiatric disabilities face unique discrimination that often leads to child welfare system interactions. Both stigma and discrimination create poor outcomes in the child welfare system for parents with psychiatric disabilities. This study examines the provision of support and meaningful legal services for parents with psychiatric disabilities in the child welfare system. Through interviews with parents with psychiatric disabilities and employees, three barriers are identified: (1) socioeconomic and demographic factors; (2) prejudice and lack of knowledge regarding mental illness; and (3) trauma imposed by the child welfare system.

Background

Psychiatric disabilities, also described as serious mental illnesses, are prevalent among parents in the United States, making up 3.8% of parents. People with psychiatric disabilities face stigma and discrimination based on their disability, often experiencing social and economic marginalization. Parents with psychiatric disabilities endure harmful assumptions, such as that disability and parenting are incompatible, and that they pose a danger to their children. In addition, parents with psychiatric disabilities are disproportionately involved in the child welfare system. Stigma and discrimination impact these child welfare cases, preventing parents from receiving proper supports and services, including legal services. This study aims to examine the experiences of parents with psychiatric disabilities and identify barriers and facilitators to meaningful support.

Findings

Barriers that parents and employees face are: (1) socioeconomic and demographic factors; (2) prejudice and lack of knowledge regarding mental illness; and (3) trauma imposed by the child welfare system. Parents often face challenges in obtaining adequate housing, healthcare, and education for their children—these challenges all result in stress that impacts parents' mental health. There are biases and stigma associated with parents with psychiatric disabilities, resulting in discrimination by both judges and child welfare workers, which can interfere with reunification and be traumatic for parents.

Facilitators to more positive case outcomes included:

(1) tangible support, such as the ability to make referrals for key supports such as housing, income, and treatment;

(2) intangible support, such as emotional support;



(3) diversity of Community Legal Services (CLS) staff, including those with lived experience; and

(4) knowledge about representing parents with psychiatric disabilities.



With respect to the effect of the Americans with Disabilities Act (ADA) on legal representation, parents generally reported being too overwhelmed to ask for accommodations in their cases. CLS attorneys reported high levels of knowledge about how to apply or learn more about the ADA, and some reported applying the ADA to their cases. However, the impact of the ADA appeared less clear, with employees noting that accommodations might not be tailored enough to be effective. Additionally, attorneys also reported that they did not raise the ADA when interacting with judges due to perceived disability bias.

Implications

Findings of the study show that supports such as housing assistance, financial support, mental health support, and referral for substance use treatment programs may result in more positive outcomes. Supports are greatly needed to benefit both parents and case outcomes. Policymakers can highlight programs meant to increase positive outcomes and point out specialists to help both employees and parents. CLS employees can play a big role by developing a sense of trust with parents and providing support to benefit parents' wellbeing. Improving staff diversity and involving parent peer advocates can also lead to better outcomes. In addition, attorneys can be more open and nonjudgmental regarding discussions about mental health with their clients, which would be helpful for the attorney-parent relationship. More education around mental illness would be beneficial for attorneys, judges, and child welfare workers.

Methods

The research team conducted one-hour semi-structured interviews via Zoom. The research team collaborated on the interview guides with Community Legal Services (CLS). There were twenty participants, thirteen of whom were employees and seven of whom were parents. Recruitment to the study involved purposive sampling. The researchers used ATLAS.ti to code data.

Credit

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Contact Us

-  heller.brandeis.edu/parents-with-disabilities
-  [@NatRCPD](https://twitter.com/NatRCPD)
-  facebook.com/nrcpd
-  centerforparents@brandeis.edu