

Protection and Advocacy Agencies and the Needs of Disabled Parents

Disabled parents are disproportionately involved in the child welfare system compared to nondisabled parents.^{1,2} When involved with state child welfare agencies, they face a higher risk of having their parental rights terminated than their nondisabled peers.³ Protection and Advocacy Organizations (P&A), are federally mandated to provide legal advocacy services for disabled people.⁴ However, parents have reported to The National Research Center for Parents with Disabilities (NRCPD) that when they contacted their P&A about child welfare cases, they were refused help. To understand this, NRCPD staff surveyed and interviewed P&A Executive and Legal Directors about their experiences providing help and legal representation to parents with disabilities involved in child welfare cases

Parents and their attorneys reach out for help

Do parents with disabilities contact you for assistance or information regarding child welfare cases?	Yes	29 (66%)
	No	4 (9%)
	No answer	11 (25%)



"What I have continually witnessed is children being removed and being provided the same services that their parent could have authorized if anybody had given their parents a chance to authorize the services..."

Do attorneys contact you for assistance or information concerning parents with disabilities in child welfare cases?	Yes	13 (30%)
	No	9 (20%)
	No answer	22 (50%)



"we're happy to talk with that person... to the extent that we can try to point someone in the right direction and give them advice, we want to try to do that."

Barriers to supporting disabled parents

P&A staff identified barriers to supporting disabled parents. Staffing and funding constraints were the most common barriers mentioned. Significantly, none of the respondents indicated that "there are no barriers" in response to this question. However, when asked if their organization would be interested in providing services to disabled parents, the overwhelming majority of respondents chose not to answer the question.

If funding were available, would your organization provide services to disabled parents in child welfare cases?	Yes	4 (9%)
	No	1 (2%)
	Unsure	7 (16%)
	No answer	32 (73%)



"It would be very hard for P&A to suddenly devote resources to this issue without having more funding and having the ability to do that."

Conclusion

To address these issues, P&As should explore ways to support disabled parents:

- Establish protocols for requests from disabled parents and their counsel
- Partner with parent attorneys for training and consultation
- Develop trainings about disabled parenting capabilities for child welfare staff
- Explore funding options for parent representation and systemic advocacy

Endnotes

1. National Council on Disability | Rocking the Cradle: Ensuring the Rights of Parents with Disabilities and Their Children. Accessed May 15, 2025. <https://www.ncd.gov/report/rocking-the-cradle-ensuring-the-rights-of-parents-with-disabilities-and-their-children/>
2. Powell RM, Nicholson J. Disparities in Child Protective Services: Commentary on Kaplan et al. (2019). *Psychiatr Serv Wash DC*. 2019;70(3):209-210. doi:10.1176/appi.ps.201900027
3. Powell RM. Under the Watchful Eye of All: Disabled Parents and the Family Policing System's Web of Surveillance. Published online August 23, 2023. doi:10.2139/ssrn.4555846
4. Protection & Advocacy Systems | ACL Administration for Community Living. Accessed May 15, 2025. <http://acl.gov/programs/pa-programs>