

Reasonable Efforts

The Effective Use of the Reasonable Efforts Finding: Challenges Facing Attorneys

Article written by Retired Judge Leonard Edwards and published by the National Association of Counsel for Children (NACC)'s The Guardian. Discusses the role of attorneys in reasonable efforts determinations and the barriers preventing attorneys from effective participation in juvenile courts.

<http://judgeleonardedwards.com/docs/NACC-ReasonableEffortsFinding.pdf>

Ignoring Reasonable Efforts: How Courts Fail to Promote Prevention

Unfortunately, the reasonable efforts tool to prevent removal has not been litigated by our courts. Less than 1 percent of appellate case law deals with the reasonable efforts to prevent removal issue. That means that attorneys are not challenging the "reasonable efforts" findings judges are making at the initial hearing. The issue is not being litigated. On the other hand, over 98 percent of appellate case law deals with the reasonable efforts issue after a court has terminated parental rights. In those appeals, the parents' attorney argues that the agency did not provide reasonable services to promote reunification of the family. The issue of reasonable efforts to prevent removal is not litigated in these appeals. It is obvious that "reasonable efforts" litigation occurs at the conclusion of the case, not at the beginning.

Chronicle of Social Change (December 2018)

<https://chronicleofsocialchange.org/top-stories/ignoring-reasonable-efforts-why-court-system-fail-promote-prevention/32974>

Juvenile Judge's Corner

A website issued by Retired Juvenile Judge Leonard Edwards. Contains information about Judge Edwards, his publications, presentations, and videos. Each resource aims to improve outcomes for children and families who appear in juvenile courts, with reasonable efforts as a common theme.

<http://www.judgeleonardedwards.com/>

Reasonable Efforts – A Judicial Perspective (video from OCR Fall Conference Sept. 2017)

Video recording of conference keynote speaker, Judge Leonard Edwards. This session was approved for Ethics credit. Materials and CLE form found on the OCR website (link provided)

<http://www.coloradochildrep.org/91017-fall-conference-doubling-down-on-your-legal-advocacy-for-children/>

Reasonable Efforts as Prevention

Article written by Jerry Milner and David Kelly. Discusses how a commitment to meaningful reasonable efforts findings can fulfill legal mandates and support prevention efforts.

American Bar Association (2018)

https://www.americanbar.org/groups/child_law/resources/child_law_practiceonline/january-december-2018/reasonable-efforts-as-prevention/

Reasonable Efforts: A Judicial Perspective

This book addresses many aspects of reasonable efforts – its legislative history, its definition, state responses, challenges, and recommended judicial strategies. E-book available for download from this website.

Retired Juvenile Judge Leonard Edwards (2011).

<https://judgeedwards.wordpress.com/2014/09/09/new-groundbreaking-book-for-juvenile-and-family-court-judges/>

Reasonable Efforts to Preserve or Reunify Families and Achieve Permanency for Children

This article discusses laws that require child welfare agencies to make reasonable efforts to provide services that will help families remedy the conditions that brought the child and family into the child welfare system. The issues examined include what constitutes reasonable efforts, when reasonable efforts are required to be made, and the circumstances under which reasonable efforts to reunify the family are not required. Summaries of laws for all States and U.S. territories are included.

Child Welfare Information Gateway. (2016). *Reasonable efforts to preserve or reunify families and achieve permanency for children*. Washington, DC: U.S. Department of Health and Human Services, Children's Bureau.

<https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/reunify/>