

March 10, 2023

Chair Jamie Becker-Finn
559 State Office Building
St. Paul, MN 55155
RE: Bill to Establish an Office of Appellate Counsel and Training (HF 922/ SF 1642)

Chair Becker-Finn and Members of the Judiciary Finance and Civil Law Committee:

I write to support HF922.

Beginning in January 2023, Minnesota statute mandates the appointment of counsel for parents at all stages of child protection proceedings, including through appeal. Under the law, parents have the right to appeal a final order in their child protection case, including an order terminating their parental rights.

Minnesota does not have a centralized resource for coordinating or assigning appeals to attorneys. This means families experiencing poverty may not have access to an attorney or be able to exercise their right to appeal. This is true in both district court and tribal courts.

The state's appellate courts provide important oversight. They also provide helpful guidance and clarification around the law. This guidance is invaluable for all juvenile court practitioners. Without a coordinated effort around appeals, many important issues go unresolved, resulting in disparate application of the law. This impacts communities of color more than others because of Minnesota's overall racial disproportionality – which is the worst for Native American families.

In addition to handling all child protection appeals, this Office would provide training for all parent attorneys practicing in Minnesota. Parent attorneys around the state currently lack opportunities to receive consistent training, resources, and support. High quality legal representation for parents in child protection matters is important not only for the individual clients, but also for the system as a whole. Parent attorneys help ensure a well-functioning system and improve outcomes for children and families involved in child protection proceedings.

Most parent attorneys are independent contractors who do not have access to training or resources that are vital to this complex practice area. The Office of Appellate Counsel and Training would help fill this need by ensuring parent attorneys across the state have access to the support and training vital to this complex practice area.

We urge members of the committee to support HF922 to help ensure indigent parents have access to well-trained, qualified attorneys at all stages of child protection proceedings.

Thank you for your leadership and commitment to improving outcomes for children and families involved in child protection proceedings in Minnesota.

Sincerely,

A handwritten signature in black ink that reads "Ann Hill". The signature is written in a cursive, flowing style.

Ann Hill
Office of Ombudsperson for Families
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651-603-0057