

Shriver Custody Pilot Projects Help Low-Income Parents in Child Custody Cases

WHAT IS SHRIVER? The Sargent Shriver Civil Counsel Act (AB590; 2009) established pilot projects to provide legal services to low-income people in cases involving critical livelihood issues like housing, child custody, and family guardianship. This fact sheet describes the three custody pilot projects, launched in 2011, that involved collaborations between legal services agencies and local superior courts. Projects' goals are to balance the legal playing field, increase court efficiency, and improve the quality of justice dispensed by California's courts.

WHY CUSTODY CASES? Child custody cases have critical implications for families and children, are complex and emotionally charged, and can remain open until the child turns 18. A court order for sole custody can leave the other parent with limited or no access to the child. Thus, these cases can be highly contentious, so legal help stands to benefit all involved.

WHAT TYPES OF SERVICES ARE AVAILABLE?

Shriver services are intended for **low-income** people involved in a **case with one party seeking sole custody** and facing an **opposing party with an attorney**. Each project offers a range of legal services, including:

- **representation** (an attorney represents the client and manages all aspects of the case) and
- **unbundled services** (staff helps with discrete legal tasks such as brief legal advice, preparation of forms).
- One project incorporates **social work interns**, who conduct extensive **needs assessments** and offer **social service referrals** and **follow-up counseling**.
- One court offers **Shriver Settlement Conferences** facilitated by a judicial officer.

ARE THE PILOT PROJECTS SUCCESSFUL?

NPC Research was hired by the Judicial Council of California to conduct a comprehensive, multi-year study of the Shriver pilot projects. The study collected data from multiple sources over 6 years and included an analysis of court case file data from one project that compared outcomes of cases with parents who were **represented by a Shriver attorney and offered a Shriver Settlement Conference** with cases that did not receive any Shriver services. Results are on the reverse side.

Who Received Shriver Services?

Between 2011 and 2016:

1,100 low-income parents served
1,600 children involved in cases

Of the parents who received services:



73% were female



78% were people of color



40% had a high school diploma or less

\$1,033/month

Shriver custody clients' median household income

\$1,674/month

2016 Federal Poverty Level for a household with one adult & two children

Many cases involved current or previous risk factors for children, including:

56% allegations of **domestic violence**

37% allegations of **substance use**

32% involvement with **child protective services**

What Services Were Provided?

Legal services were provided to parents seeking to obtain or preserve custody.

46% received **representation** by a Shriver attorney

54% received **unbundled legal services**

For more information about the Shriver pilot projects, visit: www.courts.ca.gov/15583.htm



Notable Impacts of the Shriver Custody Pilot Projects

SHRIVER LEVELED THE PLAYING FIELD: Shriver projects **balanced representation** in custody cases, thus ensuring both parents had adequate access to justice.



89% of parents with Shriver representation faced an opposing party with an attorney.

MORE SETTLEMENTS AND FEWER HEARINGS: Supporting negotiations and reducing emotional tensions between parties, Shriver attorneys increased the likelihood of **pre-trial settlements**, positively impacting families and the court.

One pilot project provided clients with **representation by a Shriver attorney and participation in a Shriver Settlement Conference**. In this project, **Shriver cases were settled significantly more often** than cases without Shriver services, and **fewer ended via hearing**.

Shriver Cases:



Comparison Cases:



■ Settlement ■ Hearing ■ Other

Shriver Settlement Conferences were facilitated by a judge and attended by attorneys for both parties. **60% of Shriver conferences reached full or partial agreement**. In total, **more Shriver cases were fully resolved during the settlement conference than during mediation**.

Judges reported that success of Shriver settlement conferences for these contentious cases was due to the presence of counsel—**parents were more willing to enter agreements under the guidance of their attorneys**.



ATTORNEYS EDUCATED PARENTS, CREATING EFFICIENCIES FOR THE COURT: Attorneys educated parents about the legal process, often resulting in **more reasonable expectations** for case outcomes. As a result, **court proceedings became more efficient**, as judges received **legally relevant and comprehensive information** on which to base custody decisions.

PARENTS FELT SUPPORTED: Parents felt **informed about their cases, supported throughout the process, and not lost in the court system**.

Having an attorney's expertise and support mattered to parents, regardless of the legal outcome.



AGREEMENTS LASTED LONGER: The project that offered Shriver representation and Shriver Settlement Conferences yielded encouragingly **durable custody orders**. Two years later, **89% of Shriver cases had not filed court papers to modify the custody orders (thus keeping the Shriver orders in place longer)**, vs. **67% of comparison cases**.

9 in 10 Shriver cases kept orders in place for 2 years:



6 in 9 comparison cases kept orders in place for 2 years.:



SUMMARY: Shriver attorneys ensured balanced representation for cases involving low-income parents at risk of losing custody of their children. Projects also strove to help move families out of crisis and into self-sufficiency, thereby easing emotional duress, enabling the creation of more stable environments for children, and supporting sustainability of custody arrangements. With attorneys on both sides, courts avoided unnecessary hearings and parents were able to reach agreements sooner and keep them in place longer, thus reducing the burden on courts and creating cost savings over time.