

New York State Commission on Quality of Care and Advocacy for Persons with Disabilities

Parents with Psychiatric Disabilities Legal Advocacy Project Program Progress Report For 11 months (5/1/09 to 4/30/10)

Final Report

In the past two years beginning in May 1, 2008, New York State funding has been appropriated to support Commission subcontracts with two legal offices to assist parents with diagnoses of mental illness regarding their parental rights and custody issues. The Urban Justice Center serves the downstate region, which consists of Westchester County, the Boroughs of New York City, and Nassau and Suffolk Counties on Long Island; and Legal Services of Central New York serves the upstate region, which consists of the remaining 54 counties.

During the second contract year, the Parents with Psychiatric Disabilities Legal Advocacy (PPDLA) Project have made significant increases in the number of persons serviced, informed and trained. For example, there were:

- 128 information and referral vs. 67 in the first year;
- 110 technical assistance vs. 33 in the first year;
- 1576 individuals trained vs. 1020 in the first year;
- 90 minority outreach activities vs. 65 in the first year; and
- 48 cases completed/closed vs. 26 in the first year of the project.

As a result of the foundation laid in the first year of the project through program promotion and networking, the effectiveness of this project for parents with psychiatric disabilities has reached a wider community of consumers, case workers, attorneys, and judges. For example, in the first year of the project the staff from the contract offices attended 13 meetings, but in the second year they participated in 48 meetings. Additionally, there were 3 non-litigation group advocacy activities in the first year and 35 in the second year.

The combined statistical totals for both offices from May 1, 2009 through April 30, 2010 follow:

- 45 new cases were opened;
- 48 cases were closed;
- 128 information & referrals were provided;
- 110 technical assistance were given;
- 17 conferences were attended;
- 35 trainings were provided;

- 1576 persons were trained;
- 48 meetings were attended;
- 261 legislative & regulatory advocacy activities were conducted;
- 23 court appearances were made;
- 35 non-litigation group advocacy activities were performed;
- 40 cases were unable to be opened as result of a lack of resources and/or because they involved non-priority issues; and
- 90 minority outreach activities were conducted.

Here are two examples of cases that demonstrate the effectiveness of the PPDLA Project.

Ms. X had a history of drug use and bi polar disorder. A few years ago, Children's Services removed her two children and filed a petition for neglect. Ms. X was fortunate to have a maternal mother and paternal grandmother who filed and received custody of these children. Ms. X immediately went into drug treatment and mental health services. After completing one year of her drug treatment services, she was ready to petition for visitation of her children. Urban Justice Center, PPDLA Project, was retained as her attorney and helped her obtain visitation with her younger son. The older daughter had already been visiting with the mother. During this time Ms. X had another baby and this baby was able to remain in her care. A therapeutic parenting class was identified that would help with the transition for the children to return to her care. Ms. X recently filed for custody for her younger son and it is expected that her children to return to her care in the May 2010.

Ms. K was psychiatrically hospitalized when the Urban Justice Center was retained to represent her. This case had originated as a case of educational neglect of her 14 year old. Ironically, Ms. K also had an older daughter who was attending an Ivy League college at that time. The mother had remedied the problems that brought rise to this neglect but Social Services wanted to continue monitoring the home. When Ms. K refused, she was order to be hospitalized for an evaluation where she was diagnosed with schizophrenia. Ms. K. was eventually released and the PPDLA attorney was able to arrange liberal weekend visits. It is expected that her daughter will return home in June 2010 when her daughter finishes school.