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## What's Fair in Child Welfare? Parent Knowledge, Attitudes, and Experiences

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### Abstract

Parents play a critical role in the progression and outcomes of juvenile dependency (child welfare court) cases. Yet, very little is known about these parents' knowledge, attitudes, and experiences. We examined legal understanding and attitudes among 201 parents involved in ongoing dependency cases in California and Florida via semi-structured, in-person interviews. We expected parents' understanding to be low and attitudes to be negative, particularly among parents of color and low SES parents. We expected greater dependency understanding to be related to more positive justice attitudes, and procedural and distributive justice attitudes to be indistinguishable in this population. Findings partially confirmed expectations. Parents' understanding of the system was low, especially among parents of color and less educated parents. Parents felt less than satisfied about the fairness of procedures and decisions. However, procedural and distributive justice attitudes were distinguishable. Finally, and unexpectedly, parents' knowledge and attitudes were negatively related. The consistently low levels of knowledge across CA and FL suggest the critical need to increase parental knowledge. It is also important to promote fair court procedures and decision-making to improve parents' attitudes about procedural and distributive justice, which were found to be distinct and important factors among parents navigating juvenile dependency cases.

### Keywords

parent; juvenile dependency; understanding; knowledge; attitudes; parents of color; justice

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The burden on the U.S. child welfare system and corresponding juvenile dependency court is heavy. The system responds to 4.1 million reports of child maltreatment annually, spending billions of dollars on in- and out-of-home services for children and parents, with the goals of rehabilitating families, preventing further maltreatment, and improving outcomes for all involved (Connelly & Rosinsky, 2018; LeTourneau et al., 2018; U.S. Department of

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Health & Human Services, 2018). These goals are significant, given the host of positive outcomes evident in children who grow up in stable homes with parents compared to children who remain in out-of-home care (Affleck & Steed, 2001; Doyle, 2007; Golombok, 2000; Kortenkamp & Macomber, 2002). Yet, only about half of the cases that come before the juvenile dependency court culminate in reunification (Needell et al., 1997; Wulczyn, 2012), and approximately 30% of children who are reunified are re-removed within 3 years (Wulczyn, 2004). Thus, there is a clear need to continue to find ways of improving the dependency system's response to families.

To date, most efforts to improve the system's response have targeted children's experiences. Such efforts are imperative given that the core purpose of the system (henceforth referred to as dependency) is to meet the "best interests of the child" (Child Welfare Information Gateway, 2016; Fla. Stat. § 39.810, 2019). However, the experiences of another key group of participants—parents—also directly affect the success of the system's response to maltreatment and ultimately children's well being. Parents are responsible for completing court-ordered mandates, such as attending hearings; completing rehabilitation services, classes (e.g., anger management), and therapies, often several times a week; visiting children; and maintaining stable housing and income. Parents' behaviors, therefore, directly impact the progression and outcomes of dependency cases.

Given the paramount importance of parents' behaviors in these cases, it is somewhat surprising that relatively little attention has been directed toward understanding what factors predict parents' success, particularly from the perspective of the parents themselves. We explored these issues in the present study, focusing on how parents' knowledge about the dependency system relates to their attitudes about the court and their treatment. Our concurrent interest in knowledge and attitudes stems from their potential role in shaping parents' experiences and behaviors throughout a case. As a first step toward documenting that role, we investigated what parents know and how they feel about the dependency system, including the process and decisions, and which parent characteristics predict their knowledge and attitudes.

Before describing relevant literature, we first review the dependency process itself because this process lays the foundation for interpreting the literature and our hypotheses. Note that our review is broad, given that many of the specific laws that govern legal responses occur at the state level and thus vary. When variation occurs, we rely most heavily on processes in the two states where we collected data in the present study, CA and FL. To begin, once maltreatment is substantiated or a child's risk for maltreatment is deemed serious enough to warrant removal from the parents' custody, social services files a petition with the court, and a dependency case formally ensues. Because parents are direct participants in these cases, they are entitled to constitutionally afforded, due process rights (14th Amendment), state rights, and rights related to their legal relationships with their children (Meyer v. Nebraska, 1923; Stanley v. Illinois, 1972; Troxel v. Granville, 2000). Among the most noteworthy of these are the rights to be present at hearings, to be informed of the state's allegations, and to provide evidence to the court (Child Welfare Information Gateway, 2006; Donnelly & Haralambie, 2005; Fla. Stat. § 39.013, 39.402, 2019). Although not federally mandated, most states also give parents the right to counsel, but the stage at which counsel is appointed

varies by state (e.g., some require appointment before children's removal and others not until termination of parental rights proceedings; Sankaran, 2017). Each parent may have his or her own attorney. Children also have representation in dependency cases, separate from the parents' attorneys and from state attorneys who represent social services.

When a child is removed from home and placed in state custody, an initial hearing takes place within 24 hours of the petition being filed. The court evaluates whether there is probable cause supporting the premise that a child is at imminent risk of danger and that it is in the "best interests of the child" to be temporarily removed from home. If this standard of proof is met, an adjudication hearing is scheduled (Fla. Stat. § 39.507, 2019). In that hearing, parents have the opportunity to respond to the allegations (i.e., present a defense). If parents successfully prove their case, the allegations may be dismissed, and the case closed. However, if the state proves their case, the child will be deemed a dependent of the court and may remain in out-of-home placement (some children are returned home under supervision). Next, a disposition hearing is held during which parents are given a case plan that lists the requirements they must complete for reunification or another permanency goal (in some jurisdictions, the disposition and adjudication hearings are combined; in some cases, parents do not participate in the adjudication and instead move directly to disposition). Review hearings are then held to monitor case progress (e.g., whether parents are complying with mandated services, whether the child's needs are being met; Office of Children & Families in the Courts, 2009). Case plans can change during hearings, and other requirements can be added, depending on the child's needs or perceptions of the parents' behaviors. Finally, a permanency hearing is held, ideally within a year of the initial hearing, to determine permanent placement for the child and case resolution (42 U.S.C. § 675(5)(C) (2020); Superior Court of California, 2020; Wood & Russell, 2011).

This description is an oversimplification of what, for many parents, is a much more complex and lengthy process. Multiple interim hearings may be held to evaluate evidence, claims, or needs. Hearing continuances and modifications of plans are common. Legal professionals and social workers change, and the evidentiary standards for different decisions and outcomes vary (Yoon, 2019). Parents need to successfully navigate all of these complexities and complete all mandates to be reunited with their children. As we turn to next, parents' understanding of what they need to do and perceptions of the case may shape, in potentially impactful ways, how well they and their children ultimately fare.

## Legal Knowledge

A wide range of legally-involved individuals demonstrate limited and at times even incorrect understanding of the legal system, including the roles of key professionals, procedures, and rights (Cleveland & Quas, 2018; Viljoen et al., 2005; Woolard, Cleary, et al., 2008). Poor understanding is even more prevalent when vulnerable populations are considered, such as children and adolescents in the dependency or delinquency branches of the juvenile justice system, adult defendants with substance use or mental health issues, parents of color, and parents with low-income whose youth are involved in delinquency cases (Block et al., 2010; Cavanagh & Cauffman, 2017; Fast & Conry, 2004; Quas, Cooper, & Wandrey, 2009; Viljoen et al., 2005; Woolard, Cleary, et al., 2008). Finally, individuals' understanding of details

in their own case is, at times, no better than their understanding of general legal concepts (Block et al., 2010; Quas, Wallin, et al., 2009).

In one of the only studies to systematically examine parents' understanding of the dependency system, we interviewed parents in ongoing dependency cases in FL immediately following their hearings. We asked about their legal knowledge in general and in relation to what happened in their hearings (Cleveland & Quas, 2018). Less than 25% of the parents could comprehensively define common terms used in dependency court (e.g., petition, case plan, dependent child), and 12% evidenced a complete lack of understanding of the decision that had just been rendered in their case. Parents at greatest risk for low understanding included Black parents, fathers, parents with less education, and parents new to the system (Cleveland & Quas, 2018). Socioeconomic status did not predict differences in knowledge, even though it is related to knowledge in other legal populations (Viljoen et al., 2005; Woolard, Cleary, et al., 2008).

Despite our initial findings suggesting that many parents in dependency cases poorly understand the system, our sample was relatively small and included parents in only one jurisdiction. Further insight about legal knowledge could be gleaned with a larger sample of parents from more than one jurisdiction and more than one population of color. This was a primary goal of the current study.

### Legal Attitudes

A second and particularly novel goal of the study focused on legal attitudes among dependency-involved parents. Surprisingly, this topic has received very little direct empirical attention despite such attitudes in general playing an influential role in shaping individuals' trust in authorities, legally relevant behavior, and ultimately case outcomes (Cavanagh & Cauffman, 2015; Tankebe, 2013; Tyler & Huo, 2002; Wolfe et al., 2016). When attitudes about justice are studied in other legally-involved samples (Thibaut & Walker, 1975; Tyler, 2006, 2007; Tyler & Fagan, 2008), they are often separated into at least two distinct, but related, domains, procedural and distributive justice, each with differential associations to behaviors and legal outcomes. Procedural justice includes perceptions of the fairness of legal procedures and the treatment of individuals (e.g., whether individuals feel they have a voice in the system and have been treated with respect and dignity; Blader & Tyler, 2003). Distributive justice refers to the favorableness of the outcomes or decisions; legitimacy derives from the outcome rather than the process (Cook & Hegtvædt, 1983; Tyler, 1994). Across populations (e.g., community and involuntarily-committed adults and youth, incarcerated adults, juvenile defendants and their parents), procedural justice is often directly predictive of individuals' satisfaction with decisions, perceptions of legitimacy of authorities, and compliance with the law, over and above any evident associations between distributive justice and these outcomes (e.g., Cascardi, Poythress, & Hall, 2000; Mazerolle et al., 2013; Paternoster et al., 1997; Tyler et al., 2010; but see Augustyn, 2015).

Given these trends and the importance of legal attitudes for subsequent outcomes, it is of particular interest to examine dependency-involved parents' legal attitudes. There are several reasons, however, to suspect that procedural and distributive justice might not be easily distinguishable or separable in such a population. For one, unlike in many other types of

legal cases, multiple outcomes occur throughout dependency cases that significantly affect children, parents, and the family's ongoing dynamics (e.g., whether a child is placed with kin or in foster care, whether unsupervised visits can occur, whether a parent's compliance changes the entire trajectory of a case, e.g. from a goal of reunification to adoption; Cleveland & Quas, 2020; Wood & Russell, 2011). These interim outcomes have varying levels of impact on families and may as a result lead to parents merging their feelings about the fairness of the process with those about the fairness of specific decisions. Second, both during and between hearings, parents repeatedly interact with professionals and caregivers, including social workers, attorneys, foster parents, judges, and service providers (Carnochan et al., 2006). All of these interactions shape decisions, which again may make it difficult for parents to separate their feelings about decisions and processes. Given the importance of procedural justice attitudes for later legal behavior, it would be of considerable value to document whether procedural and distributive justice attitudes are distinguishable among dependency-involved parents. It would also be of value to identify predictors of those attitudes.

Parents' understanding of the system, or lack thereof, may be one such predictor of attitudes. Parents who do not understand what is happening and their responsibilities in their case may feel that the processes and decisions are not fair or legitimate and may feel disempowered in the process. Studies of children in dependency cases have found that poorer knowledge is associated with more negative feelings toward the court (Quas, Wallin, et al., 2009). Increasing children's knowledge about the dependency process and professionals is believed to empower children in their interactions with the system (Weisz et al., 2007). A similar relation between knowledge and attitudes may exist among dependency-involved parents.

Demographic characteristics may also predict justice attitudes. For instance, people of color, particularly those who identify as Black, tend to be less trusting overall of the courts and believe they are treated less fairly (Sunshine & Tyler, 2003; Woolard, Harvell, & Graham, 2008). Such feelings may exist among parents of color in dependency cases, who often interact with White professionals at all junctures of their case. These feelings may well be warranted, given that legal participants of color, including parents, have historically been and continue to be treated less fairly than White participants (e.g., Steffensmeier & Demuth, 2006; see Cleveland & Quas, 2020, for a review). Socioeconomic status (SES) may also be important. Low SES is associated with low levels of perceived control over external circumstances (Lachman & Weaver, 1998; Snibbe & Markus, 2005), perceptions of inefficacy (Sennett & Cobb, 1972), and beliefs that the world is unjust (Furnham, 1993). Parents from low SES backgrounds may feel that they have little control over what happens in their cases, and as a result, be less satisfied with the system. Parents' feelings about control again may well be justified. Lacking resources or access to counsel, and existing power dynamics in the child welfare system, can influence the progression and outcomes of a case in a way that is unfavorable to parents (Bundy-Fazioli et al., 2009). These assertions regarding low levels of dependency knowledge and negative attitudes about the system, particularly among people of color and people from low SES groups, will be explored here.

## Study Overview and Hypotheses

In the current study, we expanded our smaller investigation of legal knowledge in dependency-involved parents in Florida (Cleveland & Quas, 2018) to include parents from California. In both samples, we examined knowledge and attitudes, including their relations to each other and to demographic characteristics. We conducted semi-structured, in-person interviews with parents, all of whom were involved in ongoing dependency cases due to alleged or substantiated maltreatment. We expected, consistent with the original FL sample, that CA parents would also lack general dependency understanding. We expected this to be especially so for parents from lower SES backgrounds (i.e., less income, lower education) and parents of color. More novel predictions concerned legal attitudes and the links between knowledge and attitudes. We expected that parents would hold negative attitudes toward the dependency system and that procedural and distributive justice attitudes would be indistinguishable. We also hypothesized that significant associations would emerge between knowledge and attitudes, such that greater knowledge would be related to more positive attitudes.

## Method

### Participants

The sample consisted of 201 parents involved in ongoing juvenile dependency cases in CA and FL (see Table 1 for sample demographics by state). This included the subset of parents ( $n = 105$ ) in FL whose legal knowledge was described in Cleveland and Quas (2018), and 96 parents in CA. With two exceptions ( $n = 4$  parents, in FL), one parent per family participated, and randomly removing one parent from the family sets did not alter any reported results. Parents, 76% mothers, were at least 18 years of age ( $M = 32.11$ , range = 19–62) and had between 1–9 children ( $M = 2.88$ ,  $SD = 1.56$ ). The racial/ethnic breakdown of the sample was 35.8% Black, 34.3% White, 24.9% Hispanic/Latinx, and 5.0% Multi-ethnic or other. Within sites, though, the FL sample included 61% Black and 4% Hispanic/Latinx parents, and the CA sample included 8% Black and 48% Hispanic/Latinx parents. These percentages were proportionally consistent with the child welfare demographics of the state, with Black parents slightly oversampled in FL (Orange County Social Services Agency, 2018; Webster, 2016).

CA and FL state level comparisons revealed comparability in the number of confirmed maltreatment cases by child protective services with a rate of seven and nine per 1,000 children, respectively. The types of substantiated maltreatment were also generally consistent across states: Physical abuse is substantiated in 8% of cases in both CA and FL. Neglect is substantiated more often in CA (88%) than in FL (59%). The percentage of removals is also consistent across states (44% of cases; Kids Count Data Center, 2018). By incorporating data from parents in both states and conducting cross-site comparisons, we were able to examine understanding and attitudes among relatively comparable child welfare samples while investigating distinct populations of color (i.e., Black and Hispanic/Latinx parents).



## Procedure

Procedures were approved by the University Institutional Review Board as well as court administrators and dependency attorneys who represent parents in the counties where data were collected. English and Spanish speaking parents, 18 years of age and older were eligible. All parents were biologically related to the child who had been removed (i.e., no non-parental legal guardians were included), and data were collected between 2015 and 2016.

In CA, parents were approached after they completed supervised visitations with their child at a county agency office. In FL, parents were approached at the courthouse after they completed their hearings. Parents were invited to take part in a study about their experiences in the dependency system. (In Florida, approximately 90% of parents approached agreed. In California, about 75% of those approached agreed.) At both locations, parents who expressed interest in participating were given a consent form and the researcher verbally reviewed the form with parents before they provided written consent (in CA, forms were available in English and Spanish, and a native speaking researcher interacted with parents and conducted the interview in parents' preferred language). Parents were informed that the research was confidential and separate from their cases, and a certificate of confidentiality further protected their responses. Following the consent procedures, parents took part in a 30-minute interview in a quiet location in the courthouse or county agency (or for some CA parents, at a nearby quiet location). Parents received a \$25 gift card for participating.

Interviews began by assessing parents' general understanding of the dependency system, including their understanding of commonly used terms and processes. Specifically, parents were first asked to define eight terms (e.g., case plan, petition, guardian) commonly used in dependency court. Terms were identified based on a review of court and child welfare web-sites designed to give legal participants guidance on the dependency process (e.g., Chapter 39, F.S.; Office of Criminal Conflict and Civil Regional Counsel, 2019; Superior Court of California, 2020). Terms were specific to the local study location (see Table 2 for terms, coding, and sample responses). Then, parents listened to a vignette about a physical abuse dependency case involving a father and his son, modeled after the story of a physical fight in the MacArthur Competence Assessment Tool-Criminal Adjudication (MacCAT-CA; Poythress et al., 1999). After listening to the vignette, parents answered nine questions to assess their general understanding of the dependency system, including the role of dependency professionals (e.g., "What is the job of the attorney for the child?"). Questions also asked about the role of the parents' attorney and the state attorney. Other questions asked about the purpose of required hearings (e.g., the initial hearing), and court processes (e.g., reasons the court might terminate a parent's rights).

Accuracy was coded for all items across measures. Reliability was established on 25% of the sample between two trained researchers (percent agreement = 90%,  $\kappa = 0.82$ ). Coders discussed discrepancies. Mean accuracy scores were calculated separately for the definition and vignette responses<sup>1</sup>. These were highly correlated,  $r(201) = 0.56$ ,  $p < 0.001$ , and were

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<sup>1</sup>Missing data were rare. Across all items (definitions, vignettes, attitude measures), 1.73% of responses were missing. Denominators were adjusted when calculating the averages when a participant had missing data on an individual item in the calculated score.



combined in some analyses to reflect general knowledge of the dependency system,  $\alpha = 0.74$ .

Next, parents were asked 16 questions about their procedural and distributive justice attitudes and perceptions about the court and dependency professionals, on scales ranging from 1 (not at all) to 5 (extremely). Questions were modified from those in prior legal attitude scales examining these constructs (Casper et al., 1988; Tyler, 1984). Five questions each were selected to tap procedural and distributive justice (see Supplemental Appendix for the questions,  $\alpha_s = .79$  and  $.64$ , respectively). Six questions were modified from the Criminal Sentiments Scale-Modified (CSS-M; e.g. “Has the dependency court helped you as a parent?”), a measure of legal attitudes among criminal and delinquent populations (Simourd & Olver, 2002), and the Children’s Court Questionnaire (CCQ; “How good is the dependency court for your family?”), a measure used with dependency-involved children (Block et al., 2010). Parents’ average rating for the 16 attitude questions was 3.06,  $SD = 0.77$ . Parents’ mean procedural justice score was 2.87,  $SD = 0.96$ , and distributive justice score was 2.80,  $SD = 0.78$  (correlation between procedural and distributive justice = 0.70,  $p < 0.001$ ).

Demographic questions asked about parents’ age, gender, education, marital status, race, income, and prior contact with the dependency court and other legal systems.

## Results

### Preliminary Analyses

Analyses first compared demographics, legal knowledge, and attitude scores between the CA and FL samples. Results (Table 1) suggested largely similar samples, with the exception that the CA sample had more Hispanic/Latinx parents, and the FL sample had more Black parents, as expected given the states’ demographics. No significant differences emerged in dependency understanding between samples, but attitudes were significantly more negative among parents in CA than in FL,  $t(199) = 3.90$ ,  $p < 0.001$ . Thus, location was included in the main analyses.

Second, mothers comprised a much larger portion of the sample than did fathers. Comparisons between parents revealed a marginal difference in understanding. Mothers ( $M = 1.10$ ) demonstrated greater understanding than fathers ( $M = 1.00$ ),  $F(1, 198) = 2.00$ ,  $p = 0.047$ . No significant differences in attitudes were evident, ( $p = 0.62$ ), but parent gender was nonetheless included in the main analyses because of its link to legal understanding.

Third, 56% of parents reported that they had been convicted of a crime, 80% indicated they had been arrested, 25% said that they had been in contact with the dependency system as children, and 11% assented that their youth had prior contact with the delinquency system or had been arrested. No differences in these reported rates emerged between sites. Contact with other legal systems was not included in subsequent analyses, but is mentioned in the discussion.

## Main Analyses

**Legal understanding.**—Our initial goal was to examine, in a larger and more diverse sample than we had previously considered, how well parents understood the dependency system and how demographic characteristics related to that understanding. Descriptively, consistent with expectations, understanding was limited. On average, parents' understanding of dependency terms, on 0 (no correct information) to 2 (correct and complete) scales, fell slightly below a *partial* understanding according to the study coding scheme ( $M = 0.94$ ,  $SD = 0.36$ , range 0–1.88). More specifically, 51% of parents fell below a *partial* understanding of common dependency terms, and only 3% of parents approached a *correct and complete* understanding, in that their means were  $> 1.50$  (out of 2). On the dependency vignette questions, parents' overall mean was slightly higher, just above a *partial* understanding ( $M = 1.21$ ,  $SD = 0.33$ ). Specifically, 22% of parents fell below a *partial* understanding of professionals' roles (including the role of parents' own attorney), the purpose of key hearings, and dependency processes. Nineteen percent of parents approached a *comprehensive* understanding ( $M_s > 1.50$ , out of 2). These results largely confirm expectations and continue to highlight the low level of dependency understanding among a majority of parents directly involved in dependency cases.

To examine race and socioeconomic status (i.e., income, education) as predictors of understanding, we regressed combined understanding (i.e., average of definition and vignette scores,  $M = 1.07$ ,  $SD = 0.30$ ) on parent race (0 = Nonhispanic White; 1 = Black or Hispanic/Latinx), annual household income, and educational attainment. Covariates included parent age, gender, prior contact with the dependency system as a child, and study location. The model was significant,  $F(7, 180) = 9.16$ ,  $p < 0.001$ ,  $R^2 = 0.26$ . Parent race and education were significant predictors. As hypothesized, less education predicted lower understanding,  $\beta = 0.28$ ,  $t(180) = 4.06$ ,  $p < 0.001$ , and parents of color evinced Significantly lower understanding than White parents,  $\beta = -0.28$ ,  $t(180) = -4.09$ ,  $p < 0.001$ . Contrary to hypotheses, income was unrelated to understanding, with race and education taken into account (see Table 3).

As a follow up to the understanding differences we observed in White parents versus parents of color, we conducted t-tests among each pair of race categories (White, Black, and Hispanic/Latinx). White parents ( $M = 1.24$ ), in both CA and FL, demonstrated more understanding than both Black ( $M = 0.99$ ),  $t(139) = 5.23$ ,  $p < 0.001$ , and Hispanic/Latinx ( $M = 0.96$ ) parents,  $t(117) = 5.64$ ,  $p < 0.001$ . No differences, however, were evident in understanding between Black and Hispanic/Latinx parents,  $p = 0.59$ . Thus, White parents understood significantly more than the parents of color in each respective site.

**Justice attitudes.**—Next, we examined legal attitudes among parents directly involved in the dependency system. Of note, none of the cases had ended, but parents had all been through several hearings during which the courts were rendering important decisions that were directly affecting the parents' and families' lives. We expected parents to have negative attitudes. Descriptively, our data were relatively consistent with this expectation. Parents, on average, felt less than satisfied about dependency processes and decisions, including those in

their own cases, according to procedural ( $M = 2.87$ ) and distributive ( $M = 2.80$ ) justice item mean scores (see Supplemental Appendix).

We also sought to test more systematically the procedural and distributive justice constructs in this population. We selected the justice items based on prior work with other legally involved populations that suggests the items tap separable constructs. However, we also recognized that the constructs may overlap among dependency-involved parents given the complexity and prolonged length of cases, the number of interim decisions directly impacting families, and the number of professionals involved. To explore whether parents' perceptions about the dependency process (i.e., procedural justice) and outcomes (i.e., distributive justice) were in fact distinguishable, we first conducted a Confirmatory Factor Analysis (CFA). We tested the two latent constructs, procedural and distributive justice, separately, with five items loading on each factor (two-Factor Model; See Figure 1). The model fit was good [ $\chi^2(34) = 60.09$ ,  $p = 0.004$ ; Tucker-Lewis index (TLI) = 0.93; Comparative fit index (CFI) = 0.96; Root mean square error of approximation (RMSEA) = 0.06]. When we re-conducted the CFA with all 10 items loading on one unidimensional latent justice factor, the model also had good fit [ $\chi^2(35) = 64.72$ ,  $p = 0.002$ ; TLI = 0.92; CFI = 0.95; RMSEA = 0.07]. Statistical comparison of the two models, however, suggested that the 2-Factor Model—in which procedural and distributive justice were identified separately—better fit the data. Accordingly, the two-factor model was preferred,  $\chi^2(1) = 4.63$ ,  $p < 0.05$ , and contrary to our hypothesis, parents in the dependency system did distinguish between the fairness of dependency procedures and outcomes, although even here, their attitudes about both types of justice showed some overlap.

In the final analyses, we examined how the hypothesized factors (race, SES, and knowledge) and other potential predictors related to parents' justice attitudes. Because of the strong correlation between participants' procedural and distributive justice attitudes and because we did not have a priori reasons to expect differences in predictors of the two attitudinal constructs, we collapsed them here, using the 10-item attitude composite. The composite was reliable  $\alpha = 0.84$ , with higher scores reflecting more positive procedural and distributive justice feelings ( $M = 2.84$ ,  $SD = 0.81$ ). The attitude composite was regressed on parents' combined understanding (definition and vignette), race, annual income, educational attainment, age, gender, prior contact with the dependency system, and study location. The model was significant,  $F(8, 179) = 4.26$ ,  $p < 0.001$ ,  $R^2 = 0.16$ . Parents' legal understanding and study location were significant factors. Contrary to hypotheses, parents with *greater* understanding had more *negative* attitudes toward the system,  $\beta = -0.21$ ,  $t(179) = -2.67$ ,  $p = 0.008$  (Figure 2). Also, as mentioned, parents in CA had more more negative attitudes than parents in FL,  $\beta = -0.32$ ,  $t(179) = -4.54$ ,  $p < 0.001$ . Marginal predictors included parent race and prior contact with the dependency system. Parents of color (Black and Hispanic/Latinx) reported slightly more negative attitudes than White parents  $\beta = -0.13$ ,  $t(179) = -1.69$ ,  $p = 0.092$ . Parents who had versus had not been involved in the dependency system as children also had marginally more negative attitudes,  $\beta = -0.14$ ,  $t(179) = -1.90$ ,  $p = 0.059$  (Table 4).

## Discussion

In contrast to numerous bodies of literature exploring legal understanding and attitudes in vulnerable populations of court-involved adults, adolescents, and even children, until the present study, very little work has focused on parents involved in dependency proceedings. And yet, these parents' understanding of what is happening in their case, and their beliefs about the system's response to their family, likely play ongoing and influential roles in the parents' behaviors, compliance, and ultimately reunification likelihood. Given the large numbers of children and families involved in dependency cases each year, and the dire consequences associated with legal involvement for these families, investigations of parents' experiences are crucial.

In the current study, we systematically and directly investigated how much parents understand about the dependency system, decisions, and key professionals, and how parents feel about the courts in general, the dependency process, and decisions made. Some of our hypotheses stemmed from our earlier, smaller investigation showing limited knowledge in dependency-involved parents while other hypotheses expanded that work in an important direction, namely toward examining parents' legal attitudes and how parents' knowledge along with key demographic characteristics relate to those attitudes. Our findings supported some hypotheses, but also revealed a nuanced link between knowledge and attitudes that is different from what we had originally expected.

First, turning to legal understanding, as expected, it was low: 3% of parents approached a comprehensive understanding of common dependency terms and 19% approached a comprehensive understanding of dependency professionals' roles, the purpose of hearings, and dependency processes. Parents with little education and parents of color demonstrated the least understanding of the system. Of importance, racial differences emerged for both populations of color. Black and Hispanic/Latinx parents demonstrated significantly less understanding than White parents. Because this pattern was consistent across study sites, it does not appear to be due simply to differences in language (with, for example, Hispanic/Latinx parents displaying poorer understanding because of difficulties with English). Instead, results suggest that there are meaningful race differences in understanding, beyond location, as have been uncovered in other studies of vulnerable populations (Viljoen et al., 2005; Woolard, Cleary, et al., 2008). Whether the lack of knowledge stems from differences in how legal professionals interact with families or from broader systemic differences in parental treatment or engagement is not clear, but remains crucial to understand (Cleveland & Quas, 2020). Nonetheless, the results bolster the necessity of addressing gaps in knowledge in dependency cases, particularly for marginalized groups.

Unexpectedly, we found significant differences in legal attitudes between data collection sites, with parents in CA demonstrating more negative attitudes than those in FL. We did not compare the climate, practices, and interactions of the child welfare and court systems between the sites. Nor did we systematically document differences in the dynamics of visits or court hearings. Nonetheless, we offer some suppositional ideas about why the site differences might have emerged, ideas worthy of exploration in the future. Jurisdictions may differ, for example, in the amount of time parents spend with attorneys, the amount

of time parents are allowed to speak in court, and judges' and other professionals' responsiveness to parents. Such might be a product of site differences in legal professionals' workloads, certainly a possibility given large differences in the population sizes of the two counties where data were collected. For instance, one parent in CA stated: "[They are] over-burdened with case load. [They] see child, parent, and guardian not enough to understand circumstances. Report on little info because they don't investigate. Senior social worker conditioned to be defensive and causes you to feel defeated. Expect you to know the system." Unfortunately, in dependency systems, as well as other legal systems, clients may meet with attorneys, in crowded hallways, for only a few minutes before their hearings. Furthermore, these meetings sometimes represent the first time clients ever interact with their attorneys (see Edwards, 2012, for a discussion of parent and child representation in dependency cases). The time attorneys spend with clients is highly likely to contribute to legal understanding, an important topic to examine in future research.

Another possibility for site differences is variability in the culture and climate of social services and the dependency courts in each location, which shape how legal professionals and defendants interact about a range of legal matters (Bibas, 2004; Drizin & Luloff, 2007). Other contextual considerations include state policies, economics, and even public sentiments about parenting and state intervention (Ocasio et al., 2013). Larger studies of parents' dependency knowledge, experiences, and attitudes that take into account the culture, climate, and supportiveness (Davies et al., 2000; Jones et al., 2007) of local child welfare and court systems and broader state-level factors would be a valuable addition to the current work.

With regard to parents' attitudes about justice, several particularly novel and important trends emerged. One concerned simply how parents in the dependency system felt according to indicators of procedural and distributive justice, well-established domains of legal attitudes (Tyler, 2006; Tyler & Fagan, 2008). As hypothesized, perceptions across justice types were negative for sizable numbers of parents. Many did not feel that the process or decisions were particularly fair. When we explored the components more directly, we found that, contrary to hypotheses but consistent with theory in other legal populations, parents did perceive distinctions between the fairness of dependency *procedures* (procedural justice) and fairness of dependency *outcomes* (distributive justice) (Blader & Tyler, 2003; Tyler, 2006; Tyler & Huo, 2002). We had expected the number of impactful interim decisions and number of professionals involved in dependency cases, which may create different justice dynamics than in other legal cases, to lead to spillover between parents' attitudes about procedures and decisions. However, parents indeed distinguished between procedural and distributive justice attitudes, even though the two types of attitudes were also related. In light of these findings, an important next step is to examine how different attitude types relate to key outcomes (e.g., reunification), including whether or not parents re-enter the system.

Our final key goal was to examine predictors of parents' attitudes, particularly parents' legal understanding, race, and socioeconomic status. Results were mixed in terms of confirming hypotheses and in their consistency with prior work. For instance, we expected parents with greater knowledge of the system to hold more positive attitudes, insofar as knowledge may serve as a source of empowerment (Weisz et al., 2007). However, the opposite trend

was found: Parents with *greater* knowledge held more *negative* attitudes. Perhaps parents who demonstrate a greater ability to understand dependency terms and processes are more acutely aware of their legal rights and the ways those should unfold procedurally. When those rights are violated or inconsistencies occur between what parents know should happen and what actually happens in practice, attitudes about justice, fairness, and the court's helpfulness may be negatively impacted. Such feelings (i.e., that their rights are being violated, regardless of knowledge) may be particularly salient for parents of color who have experienced biased treatment in dependency systems, both historically, as well as presently (Cleveland & Quas, 2020; see Miller et al., 2013, for a review). This phenomenon should be examined in larger samples in which interactions among race, understanding, and attitudes can be sufficiently tested. Of practical importance, racial biases must be addressed through a systemic culture shift. Families of color should consistently be treated with dignity, and decisions based on liberating families rather than saving them, such that overrepresentation of Black families at every phase of the system does not remain the norm (Pryce et al., 2019).

It may also be the case that parents with a greater understanding of case requirements and ramifications feel overwhelmed or disempowered by the system, which could contribute to more negative attitudes. These possibilities warrant further study as these attitudes can, in turn, impact parents' engagement with the case, and ultimately, influence case outcomes. These possibilities need to be studied in parents who have contact with multiple systems, as the links between knowledge and attitudes may vary depending on the system (e.g., juvenile, criminal) being studied, and whether parents are directly involved (i.e., dependency, delinquency).

With regard to race and SES, we found that, contrary to hypotheses, race, education and income were not significantly related to variability in parents' attitudes when other demographic characteristics and parent understanding were taken into account. However, race was marginally significant and in the expected direction such that parents of color had more negative attitudes than White parents. Anecdotal, spontaneous reports from parents supported these marginal findings. For example, one Black mother in FL stated, "My baby and hers [White lady] both came in the system for a broken leg. We were in the hospital together with our babies. They let her have her baby back and I'm still doing this." Given the apparent discrepancies in our quantitative results and parents' anecdotal reports, it is possible that our questions did not tap into the more complex or subtle ways that race affects justice perceptions in dependency cases.

### Limitations

Although the present study is unique and informative in its contribution to extant knowledge about an understudied population of dependency court participants—children's parents—the study, like all, has limitations. For instance, our sample did not include parents who failed to show up for court or visitations. The nature of our study design (i.e., collecting data at court or in county agencies) did not allow us to identify parents who were not present. These parents' knowledge and attitudes may differ from those of parents in our sample (e.g., some parents may not be sufficiently knowledgeable about when to be present or other requirements). In addition, as mentioned, our sample consisted primarily of mothers.



Although, we did not find knowledge and attitudinal differences between mothers and fathers, hints suggested that fathers might have lower levels of understanding. With a larger sample of fathers, differences might emerge, an issue worthy of direct investigation. Future research should also systematically examine how parents' contact with other legal systems shapes their attitudes about the dependency system, considering the overlap in legal involvement in our sample.

## Conclusion

In closing, this study revealed serious gaps in dependency knowledge among parents involved in dependency cases in California and Florida. It is imperative that we address these deficits by providing structured opportunities for parents to ask questions and receive answers. Additionally, it will be especially important to target parents who have low levels of education and those from marginalized racial and ethnic backgrounds, as these parents demonstrated significantly less general dependency knowledge than their counterparts. The racial difference in knowledge could, in part, contribute to the disproportionate outcomes that Black and other families of color experience in dependency cases, including a greater likelihood of children's removal from home, longer amounts of time spent in out-of-home care, and a lower likelihood of reunification with parents, as compared to White children (e.g., Garland et al., 2003; Harris & Courtney, 2003; Hill, 2007; Stoltzfus, 2005; Wulczyn et al., 2005). As such, it is critical that we take tangible steps to address gaps in dependency knowledge by (a) assessing understanding and (b) implementing support processes and programs that reduce deficits in case understanding.

Whereas addressing gaps in knowledge is key, it is also essential to consider that parents with greater knowledge had more negative attitudes toward the court. This finding certainly does not justify a lack of effort to increase parents' knowledge, but rather suggests that the court system, professionals involved, and policy-makers should devote attention to ensuring both that parents' knowledge is sufficient to carry out their mandated responsibilities and that fair procedures and decision-making are clearly demonstrated. Parents' negative justice perceptions have the potential to turn into a lack of engagement in their cases, and ultimately negative outcomes for their families. Overall, increasing knowledge and implementing practices that give families a voice and incorporate transparency and fairness in processes and decisions may help to promote engagement and enhanced opportunities for safe family reunification.

## Supplementary Material

Refer to Web version on PubMed Central for supplementary material.

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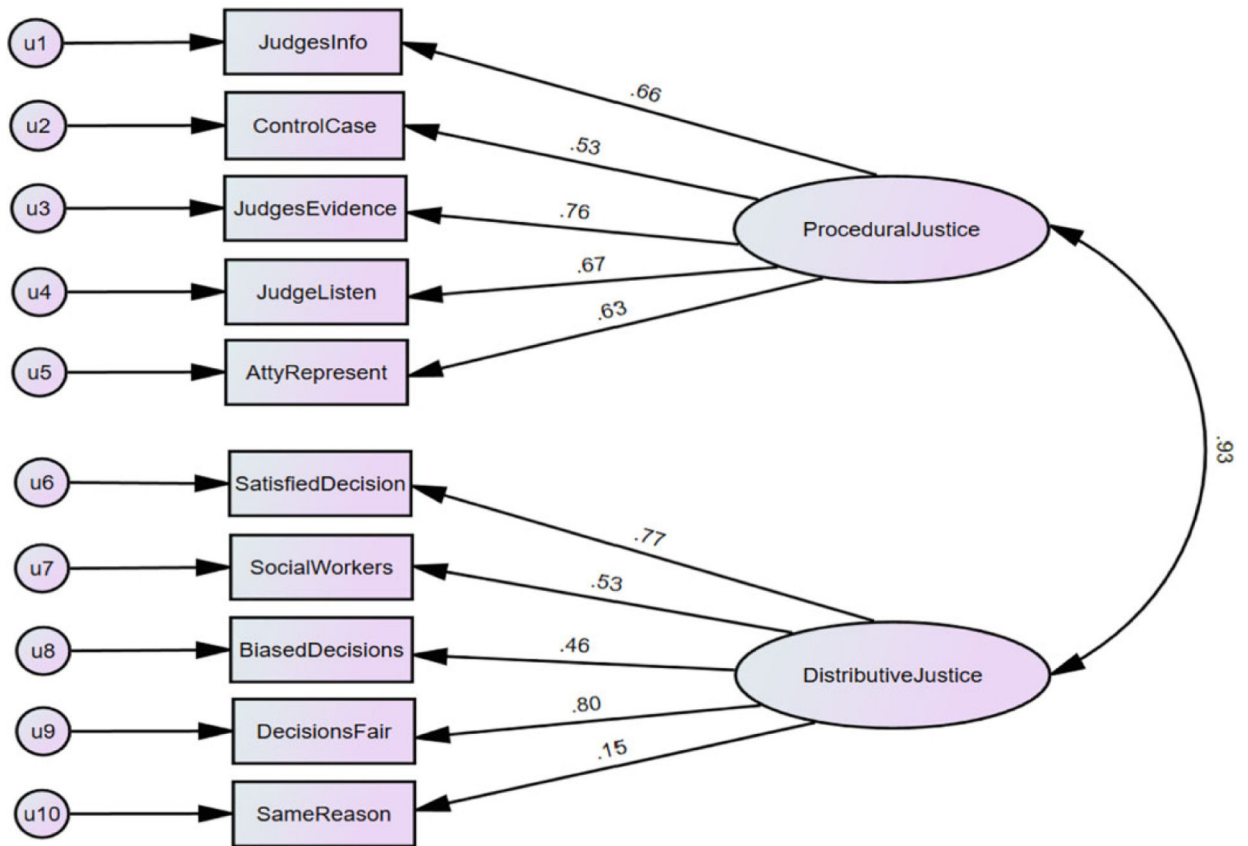
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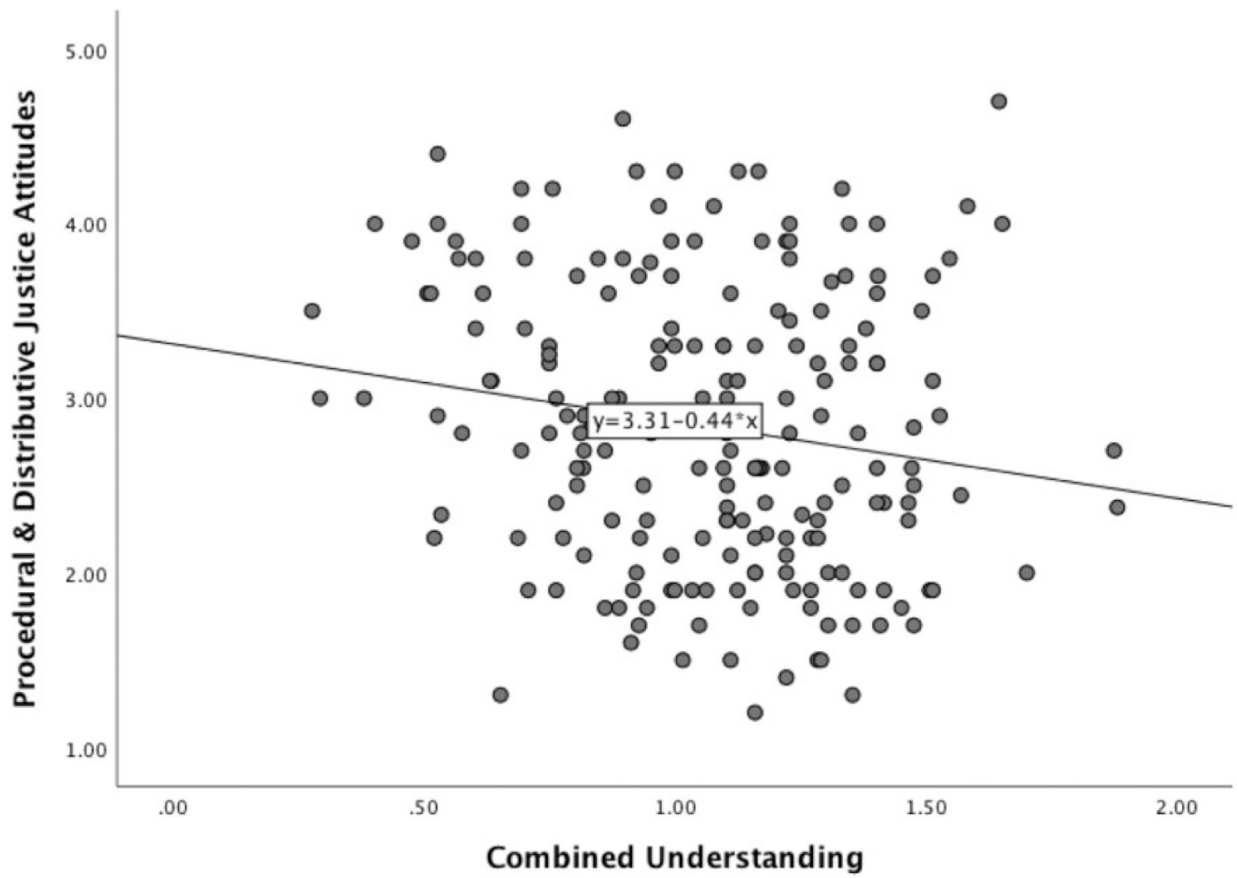
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**Figure 1.** Confirmatory Factor Analysis final model. The model depicts procedural and distributive justice as latent variables predicting the observed attitude items that theoretically tap into these constructs (see Supplemental Appendix). Standardized estimates for factor loadings are shown. All factor loadings were significant at the  $p < .001$  level, with the exception of “Same Reason” with a significance level of  $p = .048$ .



**Figure 2.** Parents' procedural and distributive justice attitudes (10 items), on 1 (not at all) to 5 (extremely) scales, regressed on parents' combined understanding (Definitions, Vignette), coded on 0 (no correct information) to 2 (correct and complete) scales.

**Table 1.**

Sample Demographics, Understanding, and Attitudes by State.

Variables	Florida (n = 105) Mean (SD)/Percentage	California (n = 96) Mean (SD)/Percentage
Age	31.82 (8.19)	32.44 (7.83)
Gender	21.0% Dads 79.0% Moms	27.0% Dads 73.0% Moms
Race	34.0% White 61.0% Black 4.00% Hispanic/Latinx	34.0% White 8.00% Black 48.0% Hispanic/Latinx
Level of Education	1.00% Multi-Ethnic/Other 36.0% Some high school 25.0% High school diploma 32.0% Some college/trade 7.00% 2 or 4-year degree 0.00% Post-baccalaureate	10.0% Multi-Ethnic/Other 34.0% Some high School 24.0% High school diploma 30.0% Some college/trade 10.00% 2 or 4-year degree 2.00% Post-baccalaureate
Household Income	77% Less than \$25,000 23% \$25,000-\$74,000	82.0% Less than \$25,000 18.0% \$25,000-\$74,000
Contact with Dependency System as Child	74.0% No 26.0% Yes	77.0% No 23.0% Yes
Combined Understanding <sup>a</sup>	1.10 (0.32)	1.05 (0.29)
Legal Attitudes <sup>b</sup>	3.25 (0.71)	2.84* (0.77)

Note.

<sup>a</sup> Combined understanding includes the mean of the definition and vignette measure items, all scored on 0–2 scales.

<sup>b</sup> Legal attitudes were rated on 1–5 scales, with higher numbers representing more positive attitudes. This measure includes all 16 attitude items.

\* California parents had significantly more negative attitudes, on average, than Florida parents, at the  $p < .001$  level.



**Table 2.** Coding Scales for the Definitions and Dependency Vignette Measures of Understanding.

Measure	Coding Categories	Examples
Definitions	<i>0 = no correct information</i>	When asked to define CASE PLAN, "A document"
	<i>1 = partial, but incomplete</i>	"Something the court wants you to do"
	<i>2 = correct and complete</i>	"Services the court wants you to do to get your kids back"
Dependency Vignette	<i>0 = no demonstration of knowledge or understanding</i>	When asked about the purpose of an ADJUDICATION HEARING, "to determine whether the child will be removed" (child already removed at this point)
	<i>1 = partial or limited understanding</i>	"See if the child is safe with the parent"
	<i>2 = comprehensive understanding of relevant facts</i>	"Evidence is presented to see if the allegations are true or not"

*Note.* The accuracy of definitions was determined according to public governmental court websites and legal dictionaries. The 0–2 coding scheme was modeled after Saywitz et al., 1990. Responses for the vignette were scored according to a 0–2 scale, as has been done with other vignette knowledge assessment measures, such as the MacCAT-CA (Poitthress et al., 1999).

**Table 3.** Ordinary Least Squares Regression Model with Combined Understanding Regressed on Parent Characteristics and Study State.

Parent Characteristics	Unstandardized Coefficients			Standardized Coefficients		
	B	SE	β	t	Sig.	
(Constant)	.921	.107		8.61	.000	
Race	-.174	.043	-.282***	-4.09	.000	
Income	.018	.029	.044	.627	.532	
Education	.073	.018	.283***	4.06	.000	
Age	.004	.003	.110	1.63	.105	
Gender	.067	.049	.095	1.38	.169	
Prior Contact	.084	.047	.118	1.79	.076	
State (CA)	-.077	.039	-.127	-1.96	.051	
R <sup>2</sup> = .26						
F (7,180) = 9.16***						

Note. Combined understanding includes the Definition and Vignette Measures.

Dichotomous variables coded as: Race (Nonhispanic White = 0, Black or Hispanic/Latinx = 1); Gender (Male = 0, Female = 1); Prior Contact (No = 0, Yes = 1); and State (FL = 0, CA = 1).

\* p < .05,

\*\* p < .01,

\*\*\* p < .001.

**Table 4.** Ordinary Least Squares Regression Model with Procedural and Distributive Justice Attitudes Regressed on Parent Understanding, Characteristics, and Study State.

Parent Characteristics	Unstandardized Coefficients			Standardized Coefficients		
	B	SE	$\beta$	t	Sig.	
(Constant)	4.10	.367		11.16	.000	
Understanding	-.575	.215	-.213**	-2.67	.008	
Race	-.218	.129	-.131	-1.69	.092	
Income	-.105	.083	-.095	-1.27	.206	
Education	-.006	.054	-.009	-.117	.907	
Age	-.005	.008	-.048	-.658	.511	
Gender	.010	.141	.005	.068	.946	
Prior Contact	-.260	.137	-.136	-1.90	.059	
State (CA)	-.520	.115	-.317***	-4.54	.000	
$R^2 = .16$						
$F(8, 179) = 4.26$ ***						

*Note.* Attitudes include the 10 items assessing procedural and distributive justice.

Understanding is a composite of the Definition and Vignette measures.

Dichotomous variables coded as: Race (Nonhispanic White = 0, Black or Hispanic/Latinx = 1); Gender (Male = 0, Female = 1); Prior Contact (No = 0, Yes = 1); and State (FL = 0, CA = 1).

\*  $p < .05$ ,

\*\*  $p < .01$ ,

\*\*\*  $p < .001$