

Fostering the Future Podcast : Episode 17 Transcript

Bowdre 0:00

I'm so thankful he participated in the conversation today, I just wanted to let you know I'm talking in general terms, I am not giving legal advice. If you do need legal advice. Please consult an attorney of your choice. Thank you.

Jack 0:21

This is Jack and I'm here with Cat, and today we have a very special guest in the Fostering the Future studio we have Bowdre McAllister, a parent attorney for dependency, and I have a very serious question to ask you what is your favorite drink at Starbucks?

Bowdre 0:37

That would be a cafe latte with two raw sugars but a close second is the iced green tea matcha.

Jack 0:45

We are both fans of the matcha. Interestingly, when my four year old was very little probably too young to be drinking matcha, I would take him to target, and we would walk around and I would drink my iced matcha latte, and he would steal most of it you know it's in the cart and so he still steals my drinks when we go to target. He has a service dog now, and the service dog is named matcha, because that's his favorite drink.

Cat 1:12

So, Bowdre can you tell me what your current position is and what that entails?

Bowdre 1:16

I'm a parent attorney and I serve in the Tampa Bay area circuit dependency corps and southern central Florida Supreme court appointed to represent parent and dependency case that usually is when the Department of Children and Families takes either abused, neglected or abandoned children allegedly into their custody, and every one of those cases, if a parent presents themselves to the core, they're entitled. If they can't afford an attorney if they're indigent, they're entitled to a court appointed attorney, if they're not found to be intentional, they can, of course, power their own private attorney to represent them but I represent, parents and the way the system works is that there's a thing called all of us have regional council by state statute, if they don't have a conflict of interest, they take one of the parents in the case if they can if they don't have a conflict for the second

parent and sometimes they're several, several dyads or one guy you sometimes, then if they have a conflict as to the second parent and so then we're appointed usually into that second parent.

Cat 2:20

Is that how you end up being in other areas?

Bowdre 2:23

Yes, we are contracted through the state judicial administrative commission and we have to apply for each different surrogate to be on their complaint parent registry last, as well as their special needs attorney in line of law, so there's a vetting process so each separate circuit as to approve us first and then we have to execute like compensation package, the other the JSA the educational administrative commission.

Jack 2:51

When you see a shelter hearing or you know a parent being assigned an attorney, which I believe happens in shelters that correct?

Bowdre 2:57

that's correct.

Jack 2:58

So usually I just see you know there's attorneys that are in the courtroom and, you know, the judge will say hey so and so, I can you take this case and they'll say sure, but obviously, obviously there's a lot more that goes on behind that, yeah,

Cat 3:12

it just seems I keep thinking when, when you're talking I kept thinking, gosh how you organize your day. There's a lot of pieces that I didn't realize you were would go out of county also. And then also, sometimes you represent children too. Seems like there's so many pieces to make sure align.

Bowdre 3:30

There are there are, but it's good and that a lot of times you don't get very too much work from one particular circuit so you really, I mean as far as I'm concerned, and that I want to specialize in this area, pretty, pretty much all the time so you need to be on at least two three different circuits.

Jack 3:50

and it's funny that you say that cat because I remember one time I was so overwhelmed because I had two kids who had hearings like almost back to back, and one of them was on one side of the county and one was on the other. It's like an hour and a half drive, and I was over there on the other side of the county, and basically like a random my car raced across town to get to this next hearing, walk in and there's the parent attorney that I had just seen the other side of the county, like oh my gosh, she has to do this too, and she's actually, you guys have a lot more to do than me just sitting there and observing so, and I was so scattered to like try and make sure that I got to the next courthouse, so I didn't know that there was as much moving around as there clearly as there was.

Bowdre 4:34

All of our judges are usually very generous. If we do, like say I've got a case, and New Port Richey, and Clearwater scheduled at the same time, they'll either delay one of those hearings or let us appear by file, the video virtual hearings has been a blessing because I can have three laptops going at the same time.

Jack 4:51

For us too trust me like especially because one of the hardest things as a foster parent is going to court and figuring out who's gonna watch your kid when you go to court because they can't always go to court, sometimes it's not appropriate for them to go to court, and a lot of the times if you go to court with a small child like that can be disturbing to the courtroom and one particular dress that we just spoke of, is like bring all the babies like I don't care if they cry. It's fine. Don't stress we'll have like the service dogs walk in and play with them, like if I've had kids crying or something, she'll be like, she'll stop the hearing and be like somebody brings some snacks for the kid and some books and toys, most of the other judges that I've experienced like if the baby starts fussing or whatever, like you get you get some stern looks and your budget but well that's so interesting when I, when you said that this is what you wanted to specialize and it really makes you wonder, what brought you a foster care. Early in my career I've

Bowdre 5:43

been practicing over 34 years but I got a practice in North Carolina and I got all my quarter points for parent attorneys, then it's just very fulfilling knowing that you were helping children, parents get the services that they may need theme families were united or for parents who can't complace complete a case plan and are terminated, that they, that they get adopted into their forever home. As well as dealing with the foster parents always try to thank them and my hearings, they're just such, they're just such a blessing to these children, and we all appreciate everybody in the system we've got all these people together who care about these children and it's just very satisfying just all around so and

dealing with the other professionals to, you know, wonderful, and getting these children where they need to be so I'm really enjoyed. When I first started practicing and continued to do that in North Carolina, then I got busy with some bankruptcy work before I moved to Florida. So when I came down here and took the bar exam in early 2008 I really didn't want to have to open my own practice again and just wanted to focus on quarter pointed we're in go buy a gun to the head immediately individuated down here so it's doubled up, I guess I'll retire maybe about five or six years so it's been a wonderful throughout the years, really it's just a very pleasurable practice the stakeholders overall are good to work with and any anytime that you're dealing with helping children I think it's fine. So yeah,

Jack 7:17

we have a lot of people our podcasts are said and it's 100% believe to be true. While the system may be broken, there's so many people that are so compassionate. This isn't easy work. This isn't you know this is not something that you can just roll through. Nobody's making a lot of money. You know, if you're doing this and continuing to do this you have a passion to help people, while the system may be broken so many of the people involved are so just give me so much hope,

Bowdre 7:46

very definitely, especially in the area in which we love what drove your decision to become an attorney, wanted to help people my stepfather was an attorney for many years, and I grew up under him, I was kind of like the scout and To Kill a Mockingbird I'd go down there watch him try criminal cases personal injury cases I had always worked as a clerk and as law firm and just so that the ability to help people and be a hero every chance he did. That was his motto, it's a little disheartening, you know when you go to the when I took the board down here, and early 2008 And then you have to go to all mandatory new Florida attorneys. A lot of the attorneys you know because they said why don't you want to become an attorney along with them. You know it wasn't to help people to make money, different things but, you know, at least they were being honest, but I think you really at your core, you know, want to genuinely help people and be of assistance to on less very rewarding especially with no family, what kind of formal education was required of you to start working as turning red light on. Well of course you have to have an undergraduate for your undergraduate degree, and then have a law degree and then you have to be licensed in the state of Florida, to do they aren't. What was great about the attorney ad litem program, which that just started became into statute, about seven years ago. And it was great to be in on the ground level for that. So anyway, you have to submit an application of the circuits that you want to serve as a special needs attorney and light on, you know, they're looking for involvement and the dependency system, and other relevant education or background. And I've also had years of practicing and guardianship and

Korean advocacy work for an advocacy work involves a lot of children with special needs, so I had that background as well so that was the general, that was the general work prior to going into that.

Jack 9:49

Can I just ask you, because this is something that I see asked so many times in foster parent groups on social media, is what qualifies a kid to receive an attorney at litem, so we say it's a child with special needs, but I've seen such a spectrum of like a child who has ADHD, receives an attorney, but then also children with severe medical needs. As an attorney at litem what is it that would qualify a child, they need more advocacy in the courtroom.

Bowdre 10:21

What's great about that is. Any friend of the court or interested party, who is a parent of the proceeding can always interrupt and ask the judge to consider appointing this child who has the criteria under the statute to be appointed and attorney in line on a special needs attorney and Lionel. Also, some of us serve as if they do. If the child does not qualify under the statutory criteria for Special Needs attorney. Some of us will volunteer pro bono in an excellent he said with a child with extensive needs even though they might not technically qualify to serve for those children say severe sexual abuse or something like that. But anyway, as far as them being qualified for an attorney might have under the statute, where the judge has the authority to appoint an attorney and line, and that attorney in mind will be paid for this special needs attorney ad litem understands it will be appointed. When the child resides in a skilled nursing facility or is being considered for placement and a skilled, skilled nursing facility or is prescribed psychotropic medication but declines to the psychotropic medication as a diagnosis of a developmental disability under Apache 390 3.063 Or is being placed on a residential treatment center or being considered for placement at a residential treatment center, or is a victim of human trafficking. So those are the criteria for that child.

Jack 11:58

That's a lot broader than I realize Yeah,

Bowdre 12:00

what I see the most is the psychotropic medication you know because there are very serious considerations and verges of autonomy on psychotropic medication and a lot of the developmentally disabled children, and it's important you know, there again when they're considered for that residential treatment center what we used to call a self placement and inpatient psychiatric placement of the child is objecting to that it's real

important to have that attorney outline on my advocate for them and represent them in that hearing because that's a very restrictive of their of their rights and worth what employers and volunteering program for for a substantial period of time. And then on the psychotropic medication, as far as that ascent goes they've been able to consent to the medications from what I'm saying the judges consent or if they're say under 12 versa. The court deems, not to be able to give informed consent to that medication, even if their parents and everybody else console and so they'll go ahead and appoint an attorney and line them if they're like team over teenagers and they're consenting to it and the parents are consenting, if they haven't, if their rights haven't been turning, they usually want to point attorney in line.

Jack 13:11

So, How do you get assigned to a parent

Bowdre 13:15

the attorneys on the parent representation registry list of shelter hearings, they usually will either have shelter duty one week out of a couple of months,

Jack 13:26

shelter duty mean you come to the shelter hearings,

Bowdre 13:29

right, and we're the attorneys, they are to get appointed to the cases that the Office of regional conflict has.

Jack 13:36

So there's a schedule for the people in this pool to come, accept shelter hearing appointments,

Bowdre 13:44

and to make a long story short, they're supposed to rotate so, Like, say, in one county we go usually one day a month for the shelter duty, and another circuit will go once every two months and have shelter duty for a week. And then when parents are appointed not not during shelter, they usually have that registry list in front of them and they just go by, they wrote it down, to be fair, all the attorneys to get them the appointment. Now when you are in any case, in this in these situations. Do you have any of the background information or is it just this is the names will you take the case, all the courts are very good to go to either in person fax or email to the shoulder petition, so we have that information we have, we can find out before the hearing from the Regional Council attorney which case, which parent

they're going to be conflicting all fall into that gives us a chance to review the shelter petition, reach out to our client and talk with them and see what their position is to the shelter so they can either not object to the shelter or they can contest the probable cause to the shelter petition and have a brief shelter hearing.

Cat 14:52

when you're assigned a case, do you have the opportunity to turn it down. If you're not comfortable representing

Bowdre 14:59

clients that were that uncomfortable and feel like we cannot fully advocate where this parent we would have the chance to tell the judge, due to, you know, a legal ethical conflict of interests that were declined in appointment and I think most of them would go ahead and grant our motion. Okay, in that case if we felt that strongly but but I think with the attorneys with our training and all and understanding that every client is entitled to under the under the Constitution, the best advocate for them, even though this may not be a popular client or they may have allegedly done something terribly wrong we understand they're entitled to get the best representation that an attorney can give them and we go, we go forward with

Jack 15:46

it that's for me I can't, that's got to be the hardest part of the job, sometimes that's such an honorable thing to be able to look past some something somebody did, and look at them as a human, and defend them so it sounds like that doesn't happen very often based on the way that you answer that but most of the time when a parent attorney is assigned a

Bowdre 16:05

case, they do get, right, because we really understand they're entitled to due process and represent representation at every stage of the proceedings, I think as we talked about earlier, there may be a personality conflict and that's when you say, you know, the attorneys withdrawing from representation that's what we call irreconcilable differences.

Jack 16:25

I've only seen that happen once with one of my kids parents, There was a new attorney almost every time because of the way in which this parents made kid and Doctor behaved around people so let's say you have a client and they're about to reunify, for whatever reason, you know, this kid is not going to be safe in this home. I think that's something, sometimes that foster parents struggle with, Like if you see your kids going home, and you know that it's still unsafe. All these people are clearly aware that it's not safe, but it

continues anyways, from your role is there anything you can do or you just keep fighting together unification.

Bowdre 17:01

The short answer is I just keep fighting to get that reunification and just try to counsel my client if I'm aware of the issue of how to remedy that that safety issue and I work closely with them. Of course I care about children as well. Some of them feel like there is something that could be unsafe, I want to remedy that as well but Mr attorney client relationship with my client, usually those things are picked up all the way as the parent of attorney, you know, our job is to, you know, seek reunification, without any dishonest information provided to the court, usually there are other concerns the other party's or deadline on foster parents, their OBUS, which is why the court relies so heavily on Walters child therapist, they have a duty to look into that and that's you, that is usually that it out and then that side on that side you

Jack 17:54

not your role

Bowdre 17:56

would be really against my role.

Cat 17:59

Yeah, but she would call the hotline if you have suspected abuse or neglect. So, of course,

Bowdre 18:03

we are still under a duty to disclose young child abuse.

Cat 18:07

Okay, what is your responsibility to the parent,

Bowdre 18:11

to be a good advocate for them. Sometimes I feel like a cheerleader without but I'm fine to do it. I've also been called a cause and social worker because I love that aspect and working with them it's been like a secondary social worker with them, basically, and the cases. If the children ourselves or after that, the CLS the children's legal services attorney or state attorney will be filing what's called a dependency petition against them and they're arraigned online, they can ask for a trial if they want to deny the petition allegations, most of them better consent to work against plan to drill to try to get reunification with their children, or if they lose that trial then the judge will enter a court

order case plan. So, as you all probably know, the basis for children to be returned, is that the conditions for return are done now and that the safety and welfare of the child is safeguarded if the child's returned home also the court is looking at has this parent, you know substantially completed their case planned tasks. And have there been behavioral changes based on now, there are always issues with visitation as well. They may feel like everybody's against now, and you know a lot of times we're dealing with substance abuse issues and parents mental health domestic violent learning disabilities, even of the parents stayed in contact with them and seeing if they have any barriers to entry by that we can help them with barriers to visitation if we can make that better. So a lot of that is going back and forth, and going through their specific case land TAs, helping them get the referrals that they need because with these case managers, they have a lot of turnover, as you know, and sometimes it's very hard to get the funding or even the referrals from the core system so just working on those issues. So that's pretty much to hopefully get them to reunification, so

Jack 20:01

you had mentioned that you sometimes are kind of like a social worker to the parents, what are the types of things that you're able to do

Bowdre 20:09

is, you know, I mean if they drop out of one drug treatment program or fail some drug screens, they just feel hopeless, and they shouldn't you know relapse as part of addiction. So it's just a matter of picking themselves up getting the judge. Let's try a new provider maybe let's draw a new form of treatment, you know suboxone might be methadone. Let's do something like, let's get a referral to someone else, you might have a better rapport Well that may have a treatment program more tailored to your needs, where they can be held to so just keeping them focused on moving forward, because I think they feel like they feel we're on their side and sometimes when it's coming from the case manager and the guardian ad litem they can't feel like these people are against me so encouragement from us may need more than encouragement from the other board, so yeah I think that's true.

Cat 21:04

I feel like, about once a year, I run across a case or I have a case with someone that I work with and I think, oh my gosh this is going to be my career and something that's really hard to read and really hard to look at and really hard to deal with and, but we just keep moving on. So have you had any situations like that if you had situations where it's hard to represent parents who've done really bad things to kids.

Bowdre 21:26

yes it can be it can be hard for us. And it's just a matter of of process I those things with the parents, because what that will usually mean is that if it's that bad, like let's say extreme unexplained physical injuries that parent is probably looking at what's called an upfront expedite and termination of parental rights and so dealing you know those those are very serious issues or extreme sexual abuse by a parent, they're usually bad parent as you're looking at an expedited termination of parental rights for a job is just a process, pros and cons with a parent if they do want to if they, if they do want to trial, we have to be very sure to get the best experts we can if we've got a good faith basis for it to those particular issues we've got to get those experts lined up and vet them, to see if there is a difference, and then depends on what our client tells us what they're saying what their version of the story of, you know, and then we also need to counsel them. Usually the, the state attorney or social services, attorney at a very serious case will take what's called a voluntary surrender approach to Ryan's from a parent may go into that option with them, and one of the good things about that is that is not an admission as to anything get a termination from a rights petition, and if they are terminated that way as opposed to the trial judge, terminating them after trial that will not be any future grounds for termination or pro rights of a sibling, or any other after one child, and a lot of times when we're dealing with young parents that to consider. And then some of those parents may also have pending criminal charges as well. So that's a big decision but if say your dependency trial or termination of rice trial is scheduled as heard before the criminal case is heard. They have their fifth amendment right not to testify. Do they want to testify. So there's just a host of issues we have to review.

Jack 23:39

One of the things I think that is surprising me the most is how rarely criminal charges are filed against parents who have their children removed for things that you would think, for what you would think, criminal charges would be filed for, is that something that you've also seen or.

Bowdre 23:56

I agree with you 100% It's just amazing that we're from all charges and I know that side of it, they're very busy with everything, it might be like the dependency court can deal with that but I have been so surprised I was sitting at one shelter hearing. And I was representing another parent and there was a new shelter came out with allegations against a natural father that he had sexually abused his daughter, repeatedly for years. And what I was thinking to myself as a normal person. The parents showed up at the shelter here right and I was sitting there and I was like waiting for law enforcement to come in and arrest him right there, didn't have that we get an address for that period. And after the shelter

hearing, he just got up laughed and went back to wherever he was and I was really surprised. Just all I can say is for caregivers and things like that to reach out to mall enforcement. In these cases and even what I represent new words incapacitate and focusing Guardian advocacy and guardianship and on reporting abuse to law enforcement I've gotten the same thing I've had some fear like neglect and abuse to elderly people or children and special needs and that's already an advocacy cases and it's just my experience, I can't get much traction there at all, either. Now I will say, I have seen recently arrived just in my personal experience that I have a few parents that have been charged from what you said, I don't, I don't know that they'd be an upward trend may have been something that has been overblown, so that turnaround may may continue.

Jack 25:43

What has been your greatest win?

Bowdre 25:45

I practiced dependency law for parents in North Carolina had a pretty high profile case for represented an African American father, who had been released from prison, seeking custody through dependency court of his daughter, ABC was six at that time I am. It's pretty was pretty much a small county. Anyway, in my view, he had this role as case by anti Australian behavioral change had a great bond loving relationship with his daughter, and there was just really no reason not for him to be reunified and I felt like he's, he's not getting a fair shake so we had to take it to trial, so we won and case management and guard down law and I've got a threat essay from the judge, the judge went on, everyone was in tears before the judge went on for 45 minutes. With these unfounded accusations against him, one of which was, he must still be dealing drugs, because he has a cell phone. Petey said, I want everyone in this forum to know I have to do. It was just a complete lack of evidence. And, you know, this is the case we get into this child had been involved or gear for a pretty long time, the foster parents were very emotionally attached to the child wanting to adopt the child, so they were just stretching and everything they could think of to try to get this child to be reunified So, but that happened and the paper came about and that was a real big case. So because the judge indicated in his findings. It's very interesting that the case manager pinball made reasonable efforts, it was racial discrimination and they were racist, and they were motivated against them based on racial lines. So, that was a that was a real big case and really big when they are really big one, and you don't see that that much because usually you know they have a good faith basis to do things. And another thing recently that gave me a lot of pride was as a special needs attorney in Lyon. I got to go testify for a teenage girl who had been a victim of human trafficking for years, and we got to confront the perpetrator, and make a statement to the court, and to see that judge can have the maximum time and there were also it was a big

step to get there also many other girls involved in this human trafficking scale, and we see that federal judge, throw the buck and when I will have that judgment on that and I said I can sleep well at mine. I mean, the federal judge system that surrounds. This is very true. And it was very interesting in that case, because I was not totally aware of this but they're pretty liberal restitution statutes for these victims of human trafficking, when, when a perpetrator gets federally convicted. You can even go after their assets and things and that's particularly right read by millions of dollars of trafficking, these young ladies so I was able to file a restitution claim about attorney and that's definitely not something that you see in our line of work.

Bowdre 29:01

And that was something that I don't want to do every day so that was very, that was very sad as fine and then, you know, for me it's very interesting with these parents because I'll get appointed, and I will talk with them, and then I'm thinking in my head. There is no way that this person is going to be, I just don't see them getting reunited I don't think that they have the discipline to get this stuff done or something else is going on. And then I'll see someone else and I'll be like this is gonna be a slam dunk and this person's on the ball, I really think they're going to do everything in a timely manner and things don't end up that way like I had a very, and what's really sad about a lot of my parents you know that they're like I want to get my child. Elder foster care because I grew up in foster care myself, so it will mean they've already had that trauma as a child themselves. And it's just an cycle that continues, which is very sad. But another rite of victory was well and I've had to two mothers moderately low functioning, and had a lot of other issues, but buddy they stepped up to the plate, And they overcame that and they got all their stuff done and they had ways to cope, like, what about lung functioning parents kept everything in a journal, and she was the most organized thing I've ever seen. And that was in when I met her when I had my first consult with her I was like she has never gone on. So it's surprising, it goes both ways so it's surprising.

Cat 30:35

So you told us about Senator Grace wins. Can you tell us about some of your worst days or one of your hardest days,

Bowdre 30:42

the hardest is, as the attorney of mine, or when these teenagers are on the run. And you know, it's unsafe for them, you don't know where they are. You know it's very dangerous for them, and those are. I think I'm speaking to the other attorney headline. Those are your sleepless days sleepless nights and you're really worried about these children, especially the ones that you know are very susceptible to to become again or become for the first

time they can stop human trafficking, because you just use a simple model and their variable or role can be exploited. It's just it's really sad so all you can do at that point is just ask for as many things as possible for the diligent search, but to be on the lookout, where you think that they may be. It's just like, you just have to do a lot of detective work, reach out to the all the all of the law enforcement officers in the area where you think that they may be Miami Dade County, they have a whole section devoted to, you know, children of human drama game to always alert them when I think that they might be an area which loads of victims of human trafficking, and they are tell you I have

Jack 31:56

got a placement. I've never had a placement really run away from me. I have definitely had some placements that have tried to run maybe they hit in my front yard or right outside my friend door but I've never had one really run,

Bowdre 32:10

and as an attorney and later we're different than the guardian ad litem The Guardian Ad Litem attorney on the case, there for the best interest of the child. But as attorney and lighter we also have to advocate for the express wishes of the child, even though it may not necessarily be in their best interests

Jack 32:28

to journey and I like them and manifest best interests, but also they're supposed to advocate for what the child wants but you guys are fully what the child wants, that's your focus, you're that voice for the child.

Bowdre 32:41

Exactly.

Jack 32:42

Who are the people you interact with the most obviously the judge and the biological parents are there other parts of the equation that you have a lot of collaboration and involvement with

Bowdre 32:51

oh yes I would say equally with the Children's legal services or state attorney on the case, that would be the attorney for DC Alpha deal along with the assistant state attorney right right this is the state attorney assigned to the case with the guardian ad litem as parent attorneys, I have to go through the guardian ad litem attorney if I'm attorney at litem I can also collaborate with the guardian ad litem volunteers and case managers, and all the

attorney I've lied on faces I climb right. Oh, just a ton with my wonderful foster parents, because what another thing I do is attorney ad litem is made sure that those children with special needs are getting all the community resources of their time. And of course the vault appears, especially with the younger children as the gateway to their just become very, very close and bonded with a lot of the Wall Street parents that monitor headline okay so it's nice to hear so and even had and sometimes is interesting when I represent a parent, let's say I'm trying to get a change of custody say over to a maternal grandparent, I had one set of foster parents that actually came to the hearing in support of the motion or pertains a placement from now, over to a maternal grandmother and we were just all in tears because it was unusual to have the foster parents calm, because they had observed the grandmother or somebody with the child. And so anyway, that was that was a heartwarming thing they usually, they usually don't see it but, and then there's just so many wonderful foster parents, but you did I've seen this over the years that doesn't happen that often. Of course, these foster parents they get emotionally attached and bonded to these children, if they don't want a lot of go, and they want to adopt them sometimes I have to make the argument that that foster parent is just basically causing undue interference or sabotage and Blackroll sabotage and that reunification. Really with without basis, and is usually very transparent to the judges because I can see the lad if they see a foster parent, as a prospective adoptive placement and, but it is sad to see but that's again problem dial but I've got parents ready for reunification, and I know that there's, you know, an alternative placement out there, those are usually good problems, or when I have stakeholders presenting possible good placements, we're in China Hold on I have seen relevant foster parents disorder broken when the parents turn it around, and the judge is just a sad situation

Jack 35:30

in the situations where maybe the judge isn't necessarily seeing the interference of the foster parent, what can be done.

Bowdre 35:38

Well that's where the parents attorneys come out and we have to improve we have to present that and cross examine and present witnesses witnesses that have been the boots on the ground with the parents to say, this is really not this is an allegation, but we've got professional witnesses to say what the foster mayor and then if the foster parents only want to say, without any corroboration, the judges can consider now the judges the judges see sometimes I think to myself, I really appreciate so much these foster parents but just remember your license and your agreement when you go into just to know that this can happen because I'm sure it would be heartbreaking

Jack 36:16

the foster parent thing isn't about adopting it's about reunifying and helping families get back together and it's the first of our times, foster parents.

Jack 36:25

Listen, I love all of my kids. I sometimes especially love when they go home and when their parents fight hard for them, but one of the things I always told me foster parents when they're worried about what that sadness is gonna feel like is that, unfortunately, many less kids reunified than you would think, and when they're able to reunify, we've got to celebrate those and when people are able to make actual change in their life, to make a safe home for their kids,

Jack 36:52

gosh, the, the emotion of that and pray for that parent and excitement for that kid to be able to keep their family intact so far overrides any sadness that I felt for myself in the loss of that child, especially because if you have a good relationship with their biological parents.

Jack 37:09

You can still maintain a relationship, my, my girls are reunified. Three months ago, I mean they were here for a couple days last week and you know we have sleep over and you know we get to see all the time they FaceTime me almost every day I get a text message. And you know I have a very close relationship with them, and, and that is possible,

Jack 37:29

and obviously even as much as you can do as a foster parent sometimes that's just not possible because of the position that the parents are in sometimes that they just, you know they're not able, like they're doing what they can do, and they're not able to recognize you as someone who could be as supportive, or maybe they feel threatened or that you judge them, I think that's something that we hear a lot is they feel like their foster parents are judging them or that the partners are judging them, and I hope that's not ever the case, but certainly, you know, I just wanna, I want them to get their kids back you know

Bowdre 38:03

as parent attorneys, we really appreciate that attitude but I know it's tough, and a lot of them it's the parents are terminated and those are, we you know we celebrate the, the adoptions after that have and so

Cat 38:17

what are your interactions like with the other attorneys on the case like if you have one parents and another attorney has the other parent do is collaborate together do you communicate, we do and more so

Bowdre 38:29

when they're together and really dependency court is supposed to be a remediation rehabilitation core, but sometimes that crosses over into like a family for custody. We just have so many issues in dependency court we don't have time for. Sometimes I end up, end up in two three day hearings I represent one parent the parents are no longer together and I'm representing one parent, against the other, and this is such an interesting facet of this and dependency court. A lot of times I'll be appointed to what's called a non offending parent who wasn't the basis for removal. They're in a different household so they had nothing to do with while but while the child was removed. So I'll have that non offending parent that will be immediately get a placement of the child, it will be sheltered from the other parent the non offending parent gets placement, and say that it can go on for one to three years, they've never done anything wrong, they usually will keep the child with other parents never compliance with their case plan or or basic conditions or return, but if the other parent, you know who may have you know, really pretty severe issues, if they complete all their case by entire house, and show the behavioral change and have an approved home study at that point, there's case law that says the judge is supposed to put the child back to the placement where it was before the shelter gown status that there's going to go back without offending parent, and it's so hard for non offending parents to understand that this is the law, but the judge can look also consider as dangerous as well, but pretty much thereby owned, I just, just added hearing all notice, there was no controversy I represented a non offending parent, but the judges hands were fired because guardian ad litem DCF said, the child should go back with a mother, I explained this to my dad even before in the hair and you know that's hard to understand you still go to the play, you've been there, you don't have any case, fantastic, you've never done anything wrong, But just explaining this is how the system works.

Bowdre

had nothing to do with why with while the child is removed. So I'll have that non offending parent that will may immediately get a placement of the child that will be sheltered from the other parent, the non offending parent gets placement and say that I can go on for one to three years, they never done anything wrong, they usually will keep the child with other parents never compliance with their case plan or, or basic conditions or return. But if the other parent, you know, who may have, you know, really pretty severe issues, if they complete all their case fantast and show them behavioral change and have an approved home study at that point. There's case law that says the judge is supposed to put the child

back to the place where it was before the shelter. Lacking gowns, that effect is going to go back without offending parent. And it's so hard for non offending parents to understand that this is the law. But the judge can look also consider best interests as well. But pretty much thereby owned. I just just add to hearing all this. There was no controversy, I represented a non offending parent. But the judges hands were fine. Because guardian ad litem DCF said, the child said go back with the mother. I explained this to my dad even before in the hair. And you know, and that's already done, understand you stepped up to the blight. You've been there, you don't have any case fantast you've never done anything wrong. But just explaining this is how the system works. So that's kind of be so hard. It's not something that I ever knew

Jack

I only had one situation with a non offending parent. And I was so proud of this guy. He had never had a kid before his child was born to this woman. And she had a new boyfriend. And there were some situations in the house that led to this child's removal. He came to me. Gosh, really, Gary a little a little. Yeah, like a few months old. And this dad stepped up to the plate in a way that I have rarely seen independency. Before his arraignment, he had completed all of his case plan. So he basically he was on the ball and he has a job he has a house, the mother of his child was not allowing him to have the child because she had a new boyfriend and she wanted to be with him with the baby. When the child was removed from her. I had this baby for such as I've never seen a case go this way, what was it like two or three months, and he was home with his dad. He was a non offending party, he wasn't anywhere near the situation when it happened, he reached out to case management was like I will do anything for my son, you tell me what I need to do. And I will do it ASAP. They told him the classes that he would likely be assigned. When he got his case plan. He had them all everything was done. before he even got a case plan. He did all the paperwork before they even ask for it. His son is still with them. So I'm assuming the mother just didn't finish the case plan.

Jack

But we had discussed earlier when sometimes parents have criminal charges. And obviously that doesn't happen a lot. But when that does happen, is there any collaboration between you if you're the parent attorney and their attorney to their assigned in a criminal trial?

Bowdre

Oh, no, we actually do collaborate with them often. With their public defenders or their private criminal defense attorney, of course, we can really help each other out because a lot of times the defenses by overlap or be at the side of both cases and and talking about

testifying on one action versus the other and how that can affect the other because if they testify on one of those that's probably going to be used on the other proceed Ain't nothing against a trial. So yeah, there's a lot of vibration.

Cat

Okay, so what are some basic things that biological parents can do to work better with you so that you can be more effective as their attorney

Bowdre

just to cc me on everything that they're doing, as well as the case manager, even though like say they're on their case, plan to house, they technically have to provide it to the case manager. But sometimes they will do that. And they don't let us now that they've done that. So just to give, you know, keep us up to date with communication, and documentation of things that they're doing, or lack thereof. So well, now we need to help them get the referrals to do this, we're going to update a referral for a new referral, just so they can have better communication with us. You know, we are busy, but really, the more they bother me and the more I bother them, the better chances they're there. There is a unification.

Jack

Yeah, and I will add to that, that a lot of the times they're case managers will change, and sometimes without any of us knowing. So if they're only sending things to their case manager and not copying you, and they might send something and then you get to court and the judge is saying, oh I don't have this and the case manager is doesn't have it accessible or it was such a

Bowdre

previous case manager, but if you have it, you know that a lot and always, you know with that turnover, they're lazy and things are things are getting lost in their system. If I receive an ifl like with a core, it's there, no question. That's the end of it. We know they've done that we've got it all. And the more I file them, the carriers that will take those possible industries.

Jack

So it's interesting that you say, the more they bother you, because I do have one parent and that I have a very close relationship with and she's always she feels like the first attorney that she had doesn't like her because she called her too much. And to be fair, and totally. To be fair, to be fair, when she started, she was in using addict. And I know that at that time, she her behaviors were very different than they are now the way that she

handled things were very different from how they are. Now, as you can imagine, when things were going her way, she would get mad, and she would just call people. So the first attorney she has, she's like she's taking her calls, basically. And the only time she would ever see or talk to her was a court. So she feels like her behavior, when she was still using affected her relationship with his or her attorney in that way. And now she has a new attorney. And while her behavior is different, but she's like, I don't want to have the same situation I have with the previous attorney, where he doesn't like me, because I call too much. But this is kind of an urgent situation that like we need to get addressed. And I need to make sure also that he's aware of it to what we were talking about.

Cat

And it's very much like her to be like that considerate and think of other people in that way. And so that's why I was saying I totally can see her during that.

Bowdre

Oh, and I don't want they never bother Bay, and maybe I shouldn't have used that term. But yeah, I mean, some some of the parents can call you and says of late, and it depends on to where they are their substance abuse treatment. And I know that in dealing with these people, I you know, I know what's going on. So I know that that may be a result of or Well, they're going through some of those issues. And then, you know, a lot of the clients don't have boundaries. You know, a therapist could say that, anyway, I have no doubt they have no boundaries, some of them and or it's hard for them to deal with those, you know, if I feel like they're just calling me too much about not important thing I can, you know, try to say, you know, unless it's really an emergency report at the call or the text at a time, just try to limit it to maybe a couple of times a week or once a week to have a conversation with them.

Bowdre

But at all like they'll have a myself out and being able to text me via email. I know a lot of attorneys are like no way you're ever gonna go? Well, because of my special needs kids do. I want them to be able to get a hold of me at any time and um and my parents too, because I love it because I can get a text or email. And if I'm in another hearing, I can just respond without having to interrupt that and get on the call that sort of that if I'm in court or nude or doing a virtual hearing that

Jack

I think that that's pretty extraordinary compared to the experiences that I've seen most with most of my kids parents.

Bowdre

Yeah, and there were some are very good, very pointed and to say and you can just answer with yes or no. And that's all they really wanted to know that particular value. So I find that great, you know, I find it really a beautiful thing. Especially for someone like you who's in a courtroom so much in in case managers a lot of the time to when they're in a courtroom all day, they can't take phone calls. And it's not, you know, it's so easy for somebody to just get a concise little message to their phone and be able to respond at your, you know, at your availability rather than feeling like because someone's on the phone right now I have to address this right now. Right? And the ones that I'm gonna like abuse the texting. I'll just tell them I'm not gonna receive any more tags from now with its color with it's counterproductive and they can make an email Bay or talk to me on the phone.

Cat

So what is you seem to be the biggest challenge is your interactions with parents.

Bowdre

I'm the type of attorney I tell them this other practice and so many years. I want to be honest with them, I'll tell them like it is. A lot of times they don't like to hear that. And I don't sugarcoat things maybe as well as I should sometimes they don't like that or they take offense to that. And they possibly want to blame everybody else and I'm trying to empower empower them but but I just have I don't have a rapport and I've just got a personal personality conflict with with Albus that's the hardest thing to do and if they become accusatory and they threaten eat away, I under the more rules after withdrawal. So that's but I don't find that that happens very often. Maybe one out of 50 cases one out of 60 I have that kind of situation or insane they're one of the there I don't know if y'all are y'all are familiar with sovereign citizenship.

Cat

Yes.

Bowdre

And I can't, under the bar rules, make those arguments for them in court. So you know, I had to withdraw from the case and the parent ended up representing themselves, but I'm not going to have a good faith basis to make arguments, you know, and just sometimes there's situations like that just don't work out well. And I just really have a real conversation with them. But I think that's important. And many of them probably don't have someone in their life to do that for them, right. And even though that might seem like you're coming at them in a negative way, you're actually like, you're almost parenting them for all these parents who haven't been parented. But that that's true, that's true. And it works with a lot

of them, but what I call tough love, parenting them to get them to where they need to be. And then there's some parents that just want to blame everybody else, including their attorneys. So, so those and it doesn't happen that much. So that's, that's about the worst part of my job,

Jack

in my experience as a foster parent, what I have found is that the parents who are going to be successful, and sometimes they're going to get reunified anyways. But the parents that are going to have successful reunifications are the ones that take ownership of what they did wrong. So most KIPP parents will come in, right off the bat saying, they took my kids, I didn't do anything wrong, I didn't do anything wrong, and then start to recognize, you know what, what it would it was a good to put them in a situation. But the ones that I have had reunified, that are successful, are the ones where the parents are like, this was my doing, I've got to fix it. I created circumstances where my kids weren't safe. And I can't blame anybody about myself. And those are the ones that I find to be really successful. The ones that are not in the direct issue that we're discussing, are constantly looking to put the ownership of the mistakes on someone else. Those are the ones where the kids are either in care for years. and years and years, or they end up being terminated. Have you seen that?

Bowdre

Yes, you hit the nail on the head is the accountability and responsibility. A true understanding and reflection on what got them to that apply is? Yeah, that makes a huge difference. reunification and this successful ongoing, long term onset have been part of our you know, that's not a big part of it. So and, you know, a lot of times, it depends on the reporter with their case manager, and other family members support even the support, like your settled foster parents, sometimes if they're supportive.

Jack

I think that's an important role for us as foster parents when we're able to, because we're with their kid all the time. And we were able to have a good relationship with them. Like, I feel like it really can be a positive thing for everybody.

Jack

Can you give me one word that you think people would use to describe a parent attorney and dependency,

Bowdre

I would say the underdog advocate, I know those two words, but the underdog like that,

because we're we're representing like the most a lot of times the most unpopular party in the case. And sometimes if it's a really bad situation, I'll be talking to other stakeholders. And it's funny, because they will associate me with that parents actions. So I was gonna say villain, because sometimes we are. It's just psychological. In that I kind of feel like we're the bad guys. Well, and any arguments we make aren't with merit, because we're representing the bad person in this case, if that makes any sense. So we can we have a negative connotation.

Cat

A lot of times like a criminal defense attorney,

Jack

so interesting, I feel bad for the period attorney a lot of times sort of in the courtroom. And I think that's why because I feel like they're having to fight for something that, you know, that they're not responsible for. And also, sometimes I'm in a courtroom, and I see the parent attorney, and I think, Oh, my gosh, this is so hard to defend this situation. And, like, sometimes you can just even see it on the face, like the look of the coming defeat that they're about to receive. I've had situations where they're like, I've reached out to them this many times. I've never met them before. Yes, they've been arrested again. And you know, like to have to, like stand before a judge and be held accountable for things. So we're not your actions. I don't know, I feel sympathy sometimes for the for the parent attorney, like, obviously, that's your job. And it's like, it's what you've chosen to do is to be that voice for these people in the situation. But I think when you said, underdog advocate that that really rang true for me, because that's kind of how I've most of the time, and sometimes like I mean, I will say that there are some cases where I'm like, oh, man, that period attorney is ribbon everyone to do what? They are opening this courtroom. And maybe they shouldn't do this, like, maybe this parent should be held accountable a little more.

Jack

But what do you see in the big picture of Child Welfare? What is the role of the parent attorneys

Bowdre

to advocate for the parents for reunification or to keep children and their placement with the parents and a lot of people lose sight of chapter 39. The whole intent and purpose and background behind is to the goal should be for all parents as long as they were not terminated and offered a case plan to reunify the family to worry or to reunify parents, with children. No, I was talking to some other attorneys and they have and some of the surrogates, they'll have an adoption celebration day. And we often feel like in some of the

circuits, there have a reunification celebration days as well, we need to celebrate that as well.

Cat

So what was surprised most people to learn about your role

Bowdre

things can be a lot of things can be resolved with a soft landing. And that can be in the best interests of the children as well. So that doesn't happen always. You know, we're in we're in trial, a good bet or we have contested hearings a lot, but we can get a lot we can get a lot done through other methods. What do you want foster parents to know about parent attorneys, we have constitutionally taken an oath to represent these parents and their positions to the best of our abilities. If they will please keep that in mind. They may have a totally different viewpoint it that is arguments that we constitutionally have to make and court for our clients. And that's just our real role. That's just what we do. So please don't take offense to it. And I think underlying all of that, and I wouldn't be speaking for every parent attorney. I know they certainly appreciate the foster parents and the system that The fact that we need more of all stirred licensed foster parents therapeutic foster parents, and we appreciate so much for what y'all do, because you are certainly not doing it for the money. Children have a safe place to land.

Cat

What do you want biological parents to know about parent attorneys,

Bowdre

we are there for them, we we are not, you know, being paid by anyone else I'm a we're not in just a conspiracy with anybody else who does them, we are there for them. And we will, we'll do the best that we can. And if you're going to, if you're going to have a parent attorney appointed to you, you're gonna know they're familiar with the system, because dependency court is a very specialized court system. So you know that that attorney is familiar with the judges what's going on, and the different stakeholders in the case usually, and they're going to provide good representation of the parents. And if they go out and hire a private attorney, please enter an attorney who has a lot of experience in dependency court, because they are just like fish out of water, or a deer in headlights.

Jack

What do you want the public to know about parenting attorneys in dependency

Bowdre

That we are paid very level we're very dedicated to our to our job, what keeps you from being burnt out? Yes, they are made for us by by trying not to answer my phone or type messages over the weekends if I don't have to. And I think we all need another life to do something in addition to and mine as well. My children are basically grown now. I also work antique shows antique dolls, I'm involved in doll clubs in the area have been very involved do all the local shows even the region even at the National shows, do that research in history. And that's my wrestling. That's my phone booth does not? Is it anti virtue? Is that the show on TV? assault? Do you like that? Yes, I love it.

Jack

I've seen that. And that's been like super injured. Like just learning about the history of stuff. Sometimes. I find very interesting. That's cool.

Jack

Yeah, all of us who interact with these kids and these parents experienced secondary trauma, right? When you hear their stories, just by knowing some of the stuff that's going on, you're going to receive some of that trauma into your heart as well. What are the things that you do when you start feeling, you know, the secondary trauma is getting to you,

Bowdre

I will tell you that right from the get, go to an antique mall, maybe do some shopping for my side business, things like that, and just really appreciate my home life for what it is. I think a lot of us as parent attorneys are my you know, we just don't know how, you know, we think all of our lives are just functional, but but how much just to be appreciative and have gratitude of what our families has given us and the opportunities that we've had so many

Jack

situations to put us on the other side of the table in the courtroom where we were born into a certain family, we experienced certain trauma made bad choices in at a time where our brains were fully developed to make certain choices. Just because you know, there's a parent, that's a parent and on the foster parent, like I could very easily be in that position have a different life. And it's important to remember that I think sometimes and and just be thankful that that wasn't our experience, and it's not our life right now and try and help them that isn't their experience in the future. What

Jack

What do you think you're the biggest struggles you face in in in this child welfare world?

Bowdre

you touched all that you need to keep a balance in your life is very easy to get burned, to get burned out and to find that balance and doing a good effective job for your client. And being able to de stress and have time for yourself as well. When you're a young attorney in very interesting you spend exorbitant amounts of time and it may not be real effective time in working on your cases. As you get to be an older attorney as you practice more years. You know how to with less time or effectively present the vibrations present the petitions present the arguments to the court were effectively and with with less time, so involved and less, maybe less stress, more pinpointed, effective representation as you get older.

Cat

What do you think the community can do to prevent kids from coming into care or prevent as many kids coming into care,

Bowdre

just do a volunteer for charities or other organizations to try to get these people that community service. Things that they need before the kids get removed and get under care and once so whatever they can do, I know the departments are really good about you know, trying to not remove the children keeping them in care with the safety plan and making the referrals for the committee. Being service providers. But anyway, you can affect people that are parents with small children that are susceptible to remove are right on the brink of that is a blessing if you can work for, like there are many Catholic Church charities around in the Tampa Bay area that have been able to provide, you know, housing or housing assistance for them job assistance, and stuff. And, you know, we talk about all the time and dependency for those. It is the affordable housing crisis in the Tampa Bay area is a struggle and some of the, the judges are really considering that how worried it is, especially during COVID. I mean, all the caseworker sometimes can give them his you know, referral for public assistance, housing, for public housing, or section eight and that's about it.

Jack

my counselors have stable housing for my kid, and I need to accomplish that within a year. I mean, supposedly, but, you know, the waitlist is a year and a half to get a house and I've got to establish a house and continue. So it's just

Bowdre

a very big challenge for all of us, and especially a living wage too. And so, you know, thank goodness the judges are considering

Cat

what are your personal goals to make change in the community?

Bowdre

Oh, I think I guess number one is a parent attorney, for children to achieve permanency back with your parents and your extended family as possible. And then as an attorney, I'd like to make sure all these children their voices are heard on their Express wishes, what they specifically want, and that they receive permanency and all the public and all the community service benefits that they're entitled to.

Cat

Thank you so much for being with us today.

Bowdre

Totally honored to do