



January 29, 2024

Dear Members of the Subcommittee on Work and Welfare:

Thank you for your time and interest during the January 17, 2024 *Hearing on Pathways to Independence: Supporting Youth Aging Out of Foster Care*. The [National Association of Counsel for Children](#) (NACC) greatly appreciates the Subcommittee’s bipartisan commitment to child welfare issues and, in particular, to reauthorization of Title IV-B of the Social Security Act.

Title IV-B covers a wide-ranging array of foster care services and supports, infusing states with funding for “upstream” prevention efforts and kinship supports, to “downstream” interventions for older youth. At every juncture, children and parents require effective legal counsel to advise them of these opportunities and to hold state governments accountable for responsible stewardship of resources. As witness Rebekka Behr from Florida testified about her own experience: “**Gaining legal representation became a game-changer** - ensuring that I obtained a driver's license, had the ability to see my family more, and that I aged out of care as a successful adult” [emphasis added]. Legal representation for older youth can make all the difference to ensuring that the “pathway to independence” is a safe and promising one.

This is why Congress must amend IV-B to ensure access to [legal counsel for children](#) and parents in foster care court proceedings. This reform enjoys bipartisan support¹, is backed by a [strong body of research](#), and is [funded by the federal government](#). Title IV-B already mandates legal representation for abandoned infants; **upon request, I would be happy to share draft language to update 42 USC 622(b)8(B)** to expand this guarantee to all children and parents experiencing foster care court cases.

I invite you to review our [Policymaker’s Guide to Counsel for Kids](#) and welcome the opportunity to talk more about this proposal. Please feel free to reach out to me using the contact information below. Thank you for your dedication to children, families, and the child welfare workforce in your jurisdiction and nationwide.

Sincerely,

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¹ Under former President Trump, the Department of Health and Human Services [changed long-standing administrative policy](#) to open federal funding for children’s and parent’s attorneys and [released important guidance](#) to the field to support implementation. [Executive Order 13930](#) further affirmed the former administration’s commitment to this issue. Under President Biden, HHS has continued to promote this initiative, citing it as [a strategic priority](#) for the agency and [providing relevant testimony](#) to the Senate Judiciary Committee. Furthermore, the administration recently released [a proposed rule](#) that will codify funding for legal counsel within the Code of Federal Regulations.