

Evidence Brief

Five Promising Practices for Engaging with Transitional Age Youth in Legal Education and Outreach

How Did We Compile This Evidence?

We searched YouthREX's Library for Youth Work and online academic databases using the following key terms: "legal education," "engagement strategies," "transitional age youth," "youth in care," and "child welfare."

Summary of Evidence: Providing Youth with Legal Information

There is limited literature, research, and resources related to providing legal information and education to Canadian youth who are aging out of care. Many legal organizations or legal aid clinics overlook young people as clients, and lawyers are typically not trained in specific skills for working with youth (Hoegger Alejandre & Schwartz, n.d.). As of 2015, no Canadian bar associations or law societies had formal guidelines for lawyers representing children and youth (Lovinsky & Gagne, 2015); this represents an area for future research and best practice guidelines within the Canadian legal field.

Five Promising Practices for Engaging with Transitional Age Youth in Legal Education and Outreach

1. Strive to make materials and services as accessible as possible for youth.

The traditional model of legal services is often inaccessible and intimidating for young people. Youth may not be able to drive or have access to a vehicle, and they may not have a private space to which they can receive correspondence or in which they can speak to a lawyer on the phone (Hoegger Alejandre & Schwartz, n.d.). Wherever possible, lawyers and staff should conduct outreach in places where young people spend time (e.g. schools, youth centres). Legal organizations should specifically do outreach in places where they may connect with marginalized youth, including health centres, homeless shelters, or teen parenting programs. Ideally, legal organizations should offer flexible operating hours (such as evenings and weekends), so youth attending school can still access services (Hoegger Alejandre & Schwartz, n.d.). Workshops and legal education should strive to use simple language when possible, avoiding unnecessary legal jargon and considering participants' literacy and language skills.

2. Recognize the unique context of a young person's life.

Legal information should consider the unique living circumstances a young person may experience. For example, youth may live with caregivers other than their parents (including other family members, or they may be in a child welfare placement) and may not have access to a supportive, skilled adult caregiver to help them navigate the legal system. A young person may rely primarily or solely on a child welfare worker, youth worker, or social worker for support with navigating systems and self-advocacy (Legal Aid Queensland, 2015). Furthermore, young people may experience numerous other circumstances that will impact their capacity to engage with the legal system, including “abuse/neglect, mental illness, substance abuse, different types of disability, homelessness, domestic violence (either personally or in their family), and young parenting issues” (Legal Aid Queensland, 2015, p. 1).

3. Be knowledgeable about other social services and equipped to make appropriate referrals.

Transitional age youth often have legal questions or issues that intersect with other facets of their lives, such as housing, finances, employment, or the justice system. While many youth face challenges during the transition after high school, youth aging out of care face additional challenges due to the concurrent transition out of the child welfare system and the lack of familial resources (Pryce, Napolitano, & Samuels, 2017). Transitional age youth are at risk of poorer outcomes, many of which intersect with the law, such as “homelessness, unemployment, unplanned pregnancy, low educational attainment, legal system involvement, and substance abuse” (Cosner Berzin, Singer, & Hokanson, 2014, p. 618).

Staff delivering legal education should be aware of the resources that youth can access – as well as any eligibility restrictions – in order to make effective referrals. Whenever possible, organizations should be equipped to make appropriate referrals and be aware of any restrictions (e.g. geographic catchment areas, age limits) for service access.

4. Convey sensitivity to young people's relationship with, and attitudes toward, the legal system.

Young people have varying attitudes towards, and relationships with, the legal system and the child welfare system. For example, there is a disproportionate number of Black and Indigenous youth in the child welfare system in Ontario (Ontario Human Rights Commission, 2018). Prior involvement in the child welfare system may impact how young people engage with the legal system (Legal Aid Queensland, 2015). Furthermore, Black and Indigenous youth are disproportionately targeted by carding and racial profiling (Meng, Giwa, & Anucha, 2015; Dhillon, 2018; Ellis, 2015). Organizations providing legal education and workshops to youth should be sensitive to how these experiences may impact their perceptions of the legal system in Canada. Organizations seeking to engage with Black and Indigenous youth who are aging out of care may wish to consult with peer organizations in the sector about appropriate ways to engage these communities (see African Canadian Legal

Clinic, n.d.; First Nations Child & Family Caring Society of Canada, n.d.).

5. Frame help-seeking behaviour in positive terms and encourage self-advocacy.

Organizations working with transitional age youth should strive to normalize help-seeking skills and encourage self-advocacy. On a systemic level, youth involved in child welfare experience instability, which can “work to broadly diminish personal agency as well as cause chronic relational disruption and disenfranchisement” (Pryce, Napolitano, & Samuels, 2017, p. 317). Some research has found that transitional age youth associate ‘adulthood’ (leaving care) with complete self-reliance, believing that they will need to take care of themselves without any support (Cosner Berzin, Singer, & Hokanson, 2014; Pryce, Napolitano, & Samuels, 2017). Some youth believe that asking for help threatens their sense of independence or their confidence in their own abilities. Other transitional age youth may see help-seeking behaviour (e.g. accessing services, asking for support) as “continued dependence on the system” (Pryce, Napolitano, & Samuels, 2017, p. 315); this sentiment may cause youth to reject support, even when the services are needed and useful. When referring transitional age youth to resources, staff should frame help-seeking and self-advocacy in positive, affirming terms.

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