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Life-altering decision to terminate parental rights should come with adequate legal support for families

A bill moving through the Minnesota Legislature would establish an Office of Appellate Counsel and Training to coordinate or assign appeals in child protection cases.

By Jenny Eldredge



[Photo by Karolina Grabowska](#)

3 hours ago The women gather each week to support each other and to heal. Invariably, they struggle to put into words the moment when their children were taken from them. Because after a Minnesota court terminates their parental rights, that's exactly what happens.

Even years later, their facial expressions still reflect their terror, grief and shame. Stories like this are common: "They ripped my daughter from my arms crying, and basically had me tell her that 'I'm sick and you can't stay with me anymore.'" One woman calls it "her deepest sorrow."

This is why we support the passage of [H.F. 922](#), which would establish an Office of Appellate Counsel and Training.

Minnesota has no centralized resource for coordinating or assigning appeals in child protection cases. As a result, families experiencing poverty may not have access to an attorney or be able to exercise their right to appeal. This is true in both district court and tribal courts.

A court's decision to terminate a mother's parental rights is life-altering. For these women, time stops. Overwhelming grief, without closure or ritual, paralyzes coping strategies. Bellis provides groundbreaking emotional support for a mother's grief after the termination of her parental rights. Our Minneapolis-based nonprofit, which is not affiliated with any religious or political agenda, hosts in-person and virtual support groups. Women join from dozens of cities across the country.

As of January 2023, Minnesota statute requires parents at all stages of child protection proceedings be assigned a lawyer, including through appeal. Under the law, parents have the right to appeal a final order in their child protection case, including an order terminating their parental rights. Unfortunately, too many women tell us they were never informed of their right to appeal. Others say they could not have afforded it anyway.

Our data show women whose parental rights have been terminated have suffered higher-than-average rates of early childhood trauma. That trauma can inhibit executive functioning, their trust in the legal system and their ability to advocate for themselves. Just planning a trip to the courthouse to request case files or to find an attorney willing to file an appeal can be overwhelming.

Access to high quality legal representation for parents in child protection matters is important, including for those experiencing indigency. But it's also important for the child protection system. It can improve outcomes for children and families.



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Without a coordinated effort around appeals, important issues go unresolved, resulting in disparate application of the law. This affects communities of color more than others because of Minnesota's overall racial disproportionality – which is the worst for Native American families.

To be clear, all children deserve to grow up in safe, loving homes. Parents in child protection cases deserve access to effective legal representation. The Office of Appellate Counsel and Training will provide this accountability. This will help ensure fair and just outcomes in child protection cases, which can have lifelong consequences.

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