



Integrated Advocacy to Address Intersectional Issues

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The logo for Legal Counsel for Youth and Children (LCYC) is rendered in a hand-drawn, orange sketch style. The letters are bold and slightly irregular, giving it a personal and approachable feel.

Legal Counsel for
Youth and Children

The logo for Abogados para Jóvenes y Niños is rendered in a hand-drawn, orange sketch style. The letters are bold and slightly irregular, giving it a personal and approachable feel.

Abogados para
Jóvenes y Niños

Our History

Legal Counsel for Youth and Children (LCYC) was founded as a 501(c)(3) in 2010 to support and empower young people by providing them with holistic legal advocacy.

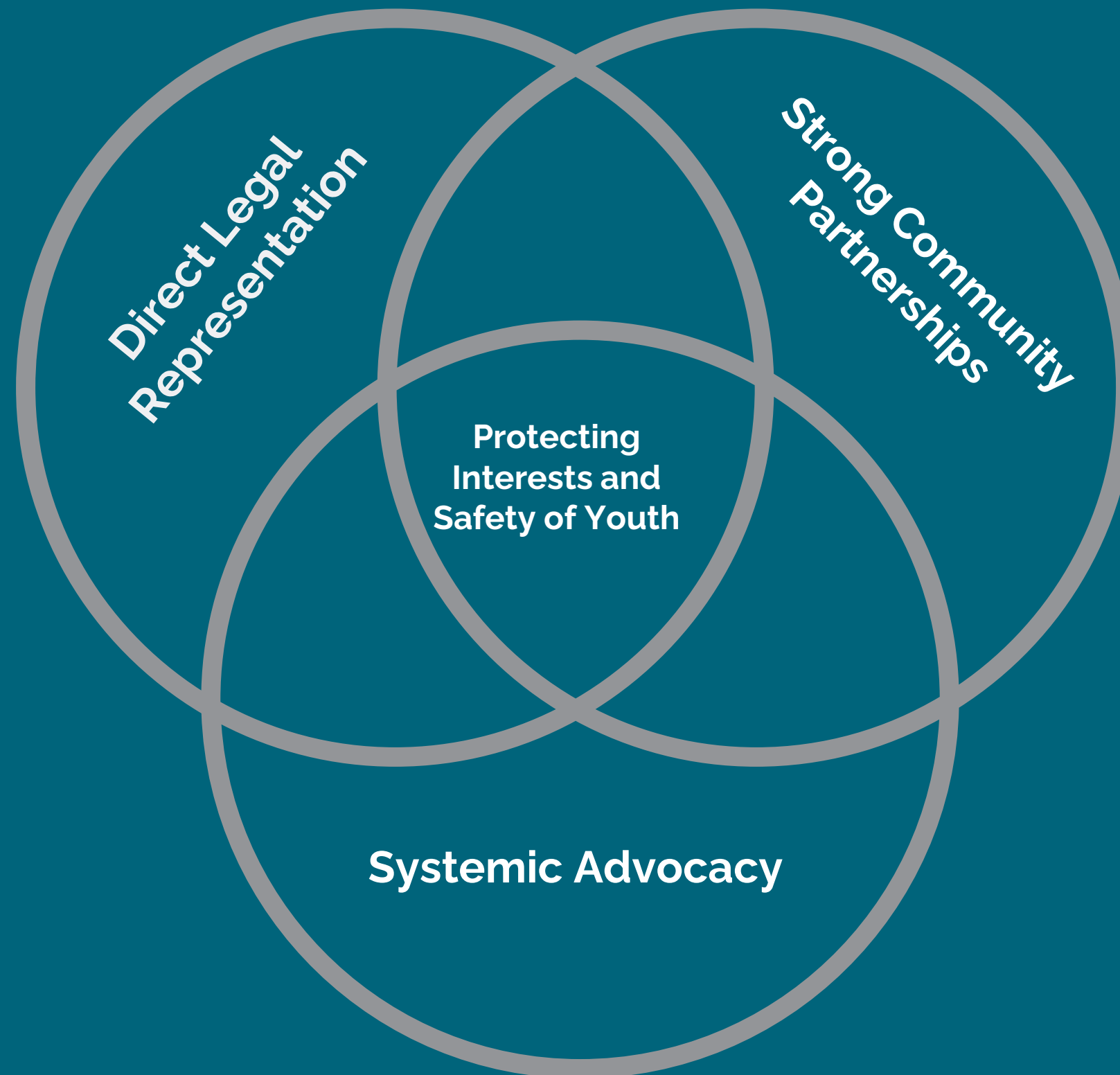
Our Mission

LCYC protects the interests and safety of youth in Washington by advancing their legal rights.

Our Values

Youth Agency and Power, Equity,
Anti-Racism, Community, Innovation

Our Approach



Four Main Focus Areas



Child welfare



Juvenile court



Immigrant youth and families



Youth homelessness

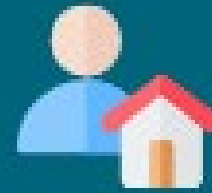
Legal Issues Addressed



IDENTITY
THEFT



EVICTON



LANDLORD/
TENANT
ISSUES



ORDERS OF
PROTECTION



EDUCATION



RECORD
SEALING



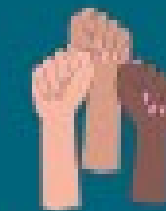
MINOR
GUARDIANSHIP



IMMIGRATION



QUASHING
WARRANTS



EMANCIPATION



CONSUMER &
MEDICAL DEBT



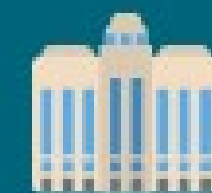
COURT FEES
& FINES



PUBLIC
BENEFITS



GENDER MARKER &
NAME CHANGES



CHILD PROTECTIVE
SERVICES

Supporting Immigrant Youth & Families

- Since 2010, **LCYC** has supported youth seeking **Special Immigrant Juvenile (SIJ) classification**, which is a form of immigration relief that provides foreign born youth, up to age 21, a visa, work authorization, and path to United States citizenship.
- Developed and disseminated the **Immigrant Safety Plan**, a community resource to help parents plan for the care of their child(ren) should they be unable to care for their child, particularly if the parent is detained or deported.
- Continue to advocate for foreign-born youth in DCYF care who may be eligible for specific immigration status due to their juvenile court involvement.

What is Integrated Advocacy?

Integrated advocacy is a strategic approach that combines multiple methods to achieve comprehensive social, legal, or policy change.

1

Administrative
advocacy

2

Legislative/policy
advocacy

3

Litigation; individual
appeal or appellate
advocacy

Questions to consider when pursuing integrated advocacy

What is the systemic problem and its impact on your clients?

What is the proposed solution?

Who are your allies? Who can you partner with to resolve this problem?

Who owns this "bucket of work"? Who are the decision makers that can help you achieve the proposed solution?

Administrative Advocacy

Often the very first step.

Administrative advocacy is all about relationships, and people's willingness to make changes that exist within their current discretion. Administrative policy can look like: department policy change, education, training, staffing change, etc.

It all starts with asking nicely:

- 1) *do you realize X is happening; and,*
 - 2) *are you willing to change your practices in response to this feedback?*
-

Considerations: may take time to implement, could disappear if leadership changes occur, differing opinions on statute interpretation, existing resources can be limited.

Legislative/Policy Advocacy

A little extra teeth.

Legislative advocacy seeks to change the law resulting in the identified problem, by passing a bill with the intended solution.

Legislative advocacy opens up the problem and solution to a formal process, resulting in more stakeholders and political consideration. Success can be incumbent upon various factors, including some that are out of your control.

Considerations: bound to the legislative cycle, subject to appropriations, more stakeholders to please, can take many years to achieve, your issue runs the risk of becoming highly politicized.

Litigation: Impact, Individual Appeals, Appellate Advocacy

Litigation seeks redress for a harmed party; or reforms the status quo by challenging unjust laws and leveraging the existing rule of law to determine a policy's constitutionality.

Litigation is complex and is likely to immediately stop all "friendly" communications between you and the other party. Harm must have occurred or currently be happening for litigation to hold weight.

Considerations: can take years to achieve result and clients can't wait to access relief, can result in a bad decision, finding the "ideal plaintiff" can be challenging, can be expensive.

Case Study 1: Immigrant Youth in DCYF Care

Background

- In 2022, LCYC and our partners (NWIRP, KIND) became aware of foreign-born children involved in dependency and other juvenile court proceedings in multiple counties who were not receiving support from DCYF to address their immigration needs.
- As a result, an untold number of children and youth under Washington juvenile court jurisdiction have exited & are continuing to exit detention, probation, & foster care into adulthood on a road to deportation rather than on a path to United States citizenship.
- Many youth in DCYF's care are eligible for SIJ Classification. Youth in the care of DCYF may also be eligible for, and in need of, other types of immigration relief.



Our Asks

1

DCYF to implement policies and procedures to identify foreign-born youth in their care.

2

DCYF to refer foreign-born youth to immigration legal services for a needs assessment, including for Special Immigrant Juvenile (SIJ) classification.

Administrative Advocacy

- In the fall of 2022, LCYC, NWIRP, KIND and the Office of Civil Legal Aid (OCLA) began regularly meeting with DCYF to inquire about existing DCYF policies relating to support for foreign-born children in their care and explore opportunities to implement policies and practices for the agency moving forward.
- While there was general agreement that addressing immigration legal needs of foreign-born children aligns with DCYF's mission of child permanency, safety, and long-term stability, several questions and barriers were raised throughout the years, including but not limited to:
 - potential violation of the Keep Washington Working Act, children's inability to consent referrals to immigration legal services, social worker training, data and privacy concerns risk of undermining goals of parental reunification, limited resources for immigration legal representation even if children are identified/referred by DCYF, etc.

Admin advocacy, cont.

- Considering the agency's concerns, a compromise was agreed to by DCYF and advocates to pilot supporting youth in extended foster care (ages 18-21) as they are the most at risk of aging out of SIJS eligibility.
- In December 2024, DCYF rolled out the immigration needs screening & referral tool for EFC youth. Advocates created an FAQ document for DCYF staff on the nature and use of the screening tool.
- Given the initial pushback from DCYF, advocates narrowed the scope of our ask to start with EFC youth, but considering the urgency and need that exists right now, advocates resumed pushing DCYF to offer immigration needs screenings and referrals to ALL children and youth in their care.

Admin advocacy, cont.

- On Jan. 27, 2025, Governor Bob Ferguson signed Executive Order 25-04, creating The Family Separation Response Task Force to improve policies and practices statewide to protect children whose parents or guardians are detained or deported due to immigration status. The Taskforce is convened by DCYF but includes membership from a variety of WA agencies.
- The goals of the Task Force are to:
 - Recommend improvements to statewide policies and practices
 - Develop and share resources with families at risk of separation
 - Collaborate with trusted community-based organizations
- LCYC was invited to present to the Task Force on April 16, 2025

Legislative Advocacy

- In January 2025, LCYC drafted a proviso (funding request) for \$1 million per biennium to support immigration legal capacity for when OCLA statewide children's rep attorneys make referrals for immigration relief. Despite our best efforts, the state's budget deficit was too large, therefore the funding was not appropriated.
- Summer of 2025, LCYC, with the help of our allies, drafted legislation that would have made DCYF's duty to screen and pay for the immigration legal services of youth in the care explicit.
 - LCYC did not introduce the bill because of concerns with the state's fiscal crisis and its potential impact on the proposed policy change.

Impact Litigation

- In 2024, LCYC connected with Children's Rights, a national children's advocacy organization, to discuss the issue of foreign-born children not being provided with immigration relief, despite being in the care of their state's child welfare agency in Washington.
- Children's Rights sued the state of Tennessee for the exact same issue which resulted in a settlement. The settlement resulted in the Department creating a process to identify children who may be eligible for SIJS and make a referral for immigration legal services.
- July 2025, Children's Rights sent a demand letter to DCYF on behalf of LCYC.
- August 2025, DCYF responded to the demand letter, denying their legal obligation to take "affirmative steps to obtain protected immigration status for children and young adults in [their] care and custody"

Impact Litigation, cont.

In light of DCYF's response, LCYC proceeded with litigation.

Factors to consider for Impact litigation:

- **Being an Organizational Plaintiff:** Requirements & Risks
- **Identifying Named Individual Plaintiffs**
 - Building partnerships with trusted providers who serve youth
 - Connecting with other attorneys
- **Preserving Client Relationships:**
 - Transparency
 - Clear boundaries
 - Power dynamics

Case Study 2: GR 34, QLSP Fee Waivers

Background

- In effort to create uniformity across Washington counties, the Washington State Supreme Court adopted “**General Rule 34**” in 2010, to ensure any indigent person could seek access to the courts by waiving filing fees or surcharges of payment “of which is a condition precedent to a litigant’s ability to secure access to judicial relief”.
- This ensured access to justice, regardless of someone’s ability to pay.
- To qualify:
 1. Person must show their indigency directly to the court; or
 2. Must be represented by a Qualified Legal Services Provider (QLSP)

Jafar v. Webb (2013)

- In 2013, *Jafar v. Webb* was argued before the Washington State Supreme Court. In *Jafar*, the court was asked to decide whether, under GR 34, courts had the discretion to grant only partial waives of fee and surcharges to indigent clients.
- Facts of the case:
 - Jafar filed an action in Snohomish County superior court to obtain a parenting plan.
 - Jafar also filed a motion under GR 34 to waive all mandatory fees and surcharges on the basis of indigency.
 - Jafar's only sources of income were monthly food stamp benefits and TANF cash assistance totaling \$385 per month.
 - The trial court found Jafar indigent but granted her only a partial waiver... waiving the \$200 filing fee, but ordering her to pay \$20 courthouse facilitator surcharge and a \$30 judicial stabilization surcharge within 90 days.

Jafar v. Webb (2013)

The Washington State Supreme Court held that:

“GR 34 provides a uniform standard for determining whether an individual is indigent and further requires the court to waive all fees and costs for individuals who meet this standard. The rule was adopted to ensure that indigent litigants have equal access to justice. Any fees required of indigent litigants are invalid and must be waived under the rule.”

What is the problem?

- **Denial of QLSP waivers:** some court clerks and judges are refusing to grant fee waivers based on the QLSP declaration. They are requiring indigent litigants represented by a QLSP to submit a separate personal declaration and evidence of their indigency
- **Denials by Clerks, never in front of a judge:** Clerks deny fee waivers without opening a new case, issuing a case number, or presenting the fee-waiver motion to a judge. Indigent litigant has no recourse: there is nothing to appeal (no order or other formal court action) and no procedural mechanism to appeal
- **Denial of certain types of fees:** Clerks consider certain fees as “executive branch administrative fees” and clerks claim these cannot be waived. Examples: ex-parte fees or e-filing fees or jury fees.
- **Jurisdictions:** QLSP providers like NJP, LCYC, QLaw, and TeamChild have experienced improper denial of fee waivers across counties and court types.

Litigation

- Despite Jafar and GR 34, LCYC and our clients continued to experience discretionary fee waiver rejections.
- LCYC began appealing the fee waiver rejections across the various jurisdictions where we practice. And while the individual appeals helped the client, the decision was bound to that county alone, and therefore did not have a statewide impact.
- Along the way, we realized a lot of our civil legal aid partners, who practice in other counties, were also experiencing logistical challenges to accessing the court, fee waiver rejections and differing interpretations of GR 34.

Administrative Advocacy

- **April 2021**, LCYC (in partnership with TeamChild and QLaw) sent a letter to the District and Municipal Court Judges Association urging them to:
 1. Allow e-filing for name changes with fee waiver requests
 2. Train district court clerks to accept QLSP fee waiver motions
 3. Train district court clerks to collect the recording/auditor fee after the petitioner's court date, so petitioners can request the Judge to waive fees at the hearing
- **July 2021**, LCYC presented before the DMCJA Board Meeting
- **September 2021**, LCYC presented at the Access to Justice Board's Delivery Systems Committee Meeting
- **November 2021**, LCYC presented before the Gender Justice Commission
- **December 2021**, LCYC met with Court Management Council Chairs

Kitsap

WHAT IF I CANNOT AFFORD TO PAY?

The First Amendment guarantees everyone the right to “petition the government for a redress of grievances.” Access to the judicial branch of government is included within this First Amendment right. Kitsap County District Court is committed to the principle that everyone must have access to courts regardless of a person’s financial situation.

If you want to file a case in a Washington court but cannot afford to pay the fees, you may ask the court to waive the fees. The judge shall waive all fees and surcharges if the judge finds you are indigent and payment of a fee or surcharge “is a condition precedent to a litigant’s ability to secure access to judicial relief from a judicial officer in the applicable trial court.” GR 34(a).

On Kitsap County District Court Website:

<https://www.kitsapgov.com/dc/Pages/NameChange.aspx>

Spokane

“The Spokane County Auditor’s recording fee is included in the filing fee for name changes in the District Court. Therefore, any fee waiver approved in District Court includes the recording fee and is honored by the Auditor’s Office.”

Spokane County District Court Letter to LCYC

Legislative Advocacy

- In **2022**, the legislature passed HB 1961, which authorized and required courts to waive **auditor's fees** related to name change orders if the requester was indigent.
- Prior to HB 1961: If a waiver was filed and granted, the court could waive the court and clerk fees, but still collected the county auditor fees.
- Auditor fees, alone, for a name change costs ~\$200, depending on the county.



Administrative Advocacy

The work continues.

- **January 2026**, a group of advocates met with Chelan Superior Court Judge Kristin Ferrera to elevate the persistent issue of fee waiver rejections despite GR 34.
- In early **February 2026**, advocates presented before the Superior Court Judges Association board.
- In mid **February 2026**, advocates met with representatives of the county clerks association, district and municipal court judges association, and superior court judges association.
- In late **February 2026**, LCYC (in partnership with TeamChild, QLaw, Columbia Legal Services, Northwest Justice Project, Legal Voice and Fair Work Center) sent a letter to the Washington State Association of County Clerks flagging that GR 34 continues to be misapplied, that indigent litigations represented by QLSPs continued to face fee waiver rejections and urged education and correction of the harm.

Admin advocacy, cont.

- In **March 2026**, advocates began initial conversations with a subsection of the Access to Justice Board, created in 1994 by a Washington Supreme Court Order, to explore a rule change to specify what exactly is covered under GR 34.
 - October 2026 process begins → April 2027 comment review → Summer 2027 enactment
- In **April 2026**, advocates presented before Access to Justice Board and ATJ Board Rules Committee.
- In **May 2026**, advocates will be presenting before Minority and Justice Commission.

Propose Rule Change to:

- (1) Clarify types of fees that must be waived
- (2) Clarify decision-maker for fee waivers
- (3) Develop a process to assign a case number at the GR 34 motion stage, without paying a filing fee for that case number
- (4) Develop ex parte-like process so that no fee may be charged to access that process

Litigation

Appellate work also continues.

- Fenwick & West LLP appealed King County District Court's denial of a fee waiver to an LCYC client, and in **January 2026**, Superior Court Judge Holloway issued an order granting the appeal and remanding the matter to the district court, granting the waiver. This decision should be binding on other King County district court judges, and hopefully persuasive with the clerk's office and with other King County and statewide Superior Court Judges.
- Still today, advocates continue to identify and appeal cases where judges have denied fee waivers to QLSP-represented litigants.

Other examples:

Braam v. Washington

Filed in 1998 on behalf of 13 children in Washington foster care who had been moved through multiple placements with alarming frequency.

In 2003, the Washington Supreme Court held children in foster care “have a substantive due process right to be free from unreasonable risk of harm, including a risk flowing from the lack of basic services, and a right to reasonable safety.”

In 2004, parties entered a settlement agreement which established an oversight panel of child welfare experts tasked with monitoring the state’s compliance and progress in reforming its foster care system. Compliance checks continued for nearly 20 years.

Impact of Braam

- Reduction in caseloads
- Increase in monthly health and safety visits for children
- Twice monthly visits or contacts between siblings
- Improving training and supports for foster parents
- Addressing services for youth who run from foster care

D.S. v. DCYF

In 2021, Disability Rights Washington and three young people in foster care sued the Department of Children, Youth, and Families (DCYF) for failing to properly serve children with behavioral health and developmental disabilities, “essentially rendering them homeless for extended periods of time” and forcing youth to end up in institutions and facilities that further separate them from their families and communities.

The D.S. Settlement Agreement, which was approved by the Court in September 2022, requires DCYF to implement new statewide models for supporting youth in foster care and their families and to collaborate in additional ways with youth, families, and stakeholders to improve its policies and practices.

Impact of D.S.

Eight System Improvements are identified in the Settlement Agreement including:

- Emerging Adulthood Housing Program
- Professional Therapeutic Foster Care
- Statewide Hub Home Model Program
- Kinship Engagement Unit
- Qualified Residential Treatment programs
- Family Group Planning
- Reviewing Licensing Standards
- Referrals and Transitions

The settlement agreement requires semi-annual reports, which serves as an important accountability tool.

Questions?

Breakout groups!

**Thank
You!**

Contact Us

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