

CPS Workers Are Exhausted—and It's Affecting the Legal Rights of Children

Daniel Pollack and Elisa Reiter | July 15, 2024



Burnout. Compassion fatigue. Both terms connote emotional exhaustion. Child Protection Service (CPS) workers seem to be disproportionately susceptible. Because they comprise the essential frontline of the child protection system, their emotional exhaustion can quickly affect a negative domino series of consequences: shoddy work, low morale, worker turnover, and a potential erosion of the legal rights of the very children and families they ideally want to protect.

Have attorneys who work in the child protection field noticed this emotional exhaustion and its effects? Yes. Here are some of their observations:

1. **Angel Brown Reveles, Texas:** "It seems that every time I start working consistently with a good, solid, compassionate CPS caseworker, they end up leaving. I attribute this issue to the overwhelming amount of duties and responsibilities that are placed on the caseworkers in addition to the large caseload. I can't tell you how many times I have heard a caseworker say they had just come from either taking or picking up a child, spent hours in Children Without Placement (CWOP), and attended a hearing in a 24-hour period. I am always amazed at how much they have to do and I often tell them I could never do their job."
2. **Hillary Nappi, New York:** "A lack of work-life balance and the single experience of a traumatic event such as witnessing someone being abused or neglected leads to burnout. As an attorney who represents survivors of childhood sexual assault the best thing I can give my clients is my self-care. Taking the time to engage in self-care allows me to release the emotions I have and be fully present for my clients. When I am not at my best, I cannot be my best for them—either in or out of the courtroom. The same is true of anyone in this space. It is essential that child protection service workers are supported by their agencies to prevent burnout and vicarious trauma or the population they seek to serve will remain underserved. Collaborative efforts from the judiciary, welfare programs and the community at large will mitigate the vicarious trauma experienced by those on the front lines."

3. **Electra S. Watson, Texas:** "The attorneys that I know who do this work have a heart for it. You have to. The amount of people on the appointment wheel is the lowest that it's ever been since I've been practicing law, and as a result everyone is overworked, underpaid and burning out. Couple that with the consistent secondary trauma of the facts in these cases and it is impactful for those that choose to do this work. I can't do with 50 cases what I used to do with 10-15. If you're a guardian ad litem in a CPS case, you're often in court during the day or in the office drafting and catching up on emails. That only leaves nights and weekends to conduct home visits—periods that would normally be used to rest and recharge in other jobs. One case can have multiple children in various placements all over the Metroplex. When you do the math, there aren't enough hours in the day, the week or the month."

4. **Virginia E. Griffin, California:** "Child Protection Service investigators who are emotionally exhausted can unwittingly disrupt a child's relationship with a loving parent by missing the issue of covert abuse. In these rare cases, children can be removed from a fit parent and given to an abusive one. Legal rights of children and families are then negatively affected. For example, I have seen cases (during high conflict family law custody disputes), where one parent sabotages the relationship with the other parent, to hurt that other parent. In these cases, the "bad actor" parents coach their child(ren) into making false allegations of abuse (when no abuse actually occurred)."

What Can We Do?

Here are some suggestions that attorneys and the judicial system should support in order to minimize emotional exhaustion of CPS workers:

- Workload and scheduling. CPS workers, their supervisors, and administrators must realize that overloading workers, and thereby encroaching upon personal time, can quickly have negative effects. Yes, there will be exceptions to clocking out at an exact time, especially when the worker is involved in an emergency situation. But, to the extent possible, it is wise to be mindful of a firm work/personal time boundary.
- Good physical and mental health. Because CPS workers are under constant and intense psychological pressure, good sleep, exercise, and positive relationships are a must.
- Administrators should enact periodic systematic reviews to monitor the emotional health of their workers. Standardized, valid instruments to measure emotional exhaustion are available.

Attorneys, judges, and others in the family court system—please—use your influence to help minimize CPS worker emotional exhaustion. By taking concrete steps to support the emotional well-being not only of the families, but of CPS social workers and the other professionals involved in CPS cases, we can help ensure that CPS workers are able to effectively advocate for and protect the rights of vulnerable children and families. This requires commitments from agencies, policymakers, and the broader child welfare system to prioritize the health of those on the front lines of this critical work. In addition, the toll of having children removed from the family home cannot be minimized. The various stakeholders in family court cases—including judges, court appointed attorneys, private attorneys, mental health professionals and the involved parties—can

work effectively as a therapeutic team to safeguard children's best interests. This collaborative approach serves two primary purposes. First, to pursue family reunification when appropriate and feasible. Second, to implement more stringent measures when circumstances necessitate stronger interventions. By working together, these professions can craft a balanced, child-centered approach to complex family situations. Judges and parties face huge turnover in CPS cases. We need our judges to assure that orders are entered and remain in place that will benefit children. And, we need to be particularly sensitive to the rigors of cases involving CPS referrals.

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