

## EXECUTIVE SUMMARY

This memorandum provides a summary of the extensive research detailing the grave consequences that result when a child is separated from his or her parent(s).

Part II sets forth talking points for use by trial and appellate lawyers during oral argument. These talking points distill the key themes and conclusions of the clinical and legal research set out in the balance of this memorandum.

Part III begins with a review of the clinical literature concerning the well-documented psychological and physical effects of removal generally. These resources find that the negative effects of removal often far outweigh the harm allegedly inflicted on the child by his or her parent. Part III next reviews relevant case law and legal journal articles applying these clinical findings in cases involving removal or attempted removal. Because one of the original driving forces behind development of this memorandum was the federal government's policy of separating children from their parents at the border, the cases summarized in this memorandum generally concern challenges to that policy. The courts rely heavily on literature from the scientific and medical communities describing the negative effects of parent-child separation.

Part IV reviews literature discussing the effects of placement into foster care, which concludes that those effects are negative and substantial. The memorandum then reviews literature that may serve as a resource for parents facing a removal or who have already lost their children. Some of this literature provides guidance on healthy and effective parenting strategies; other literature addresses the potential benefits of post-removal visitation, mental health counseling, and other social services. Though not particularly useful for a memorandum of law in opposition to a removal petition, these resources may be helpful in counseling the client on practical actions he or she might take to protect the relationship with his or her child.

Part V reviews literature regarding the physical effects of "toxic stress," which is prevalent among children who are removed from the parental home.

Finally, Part VI of the memorandum provides a listing of available additional resources assessing the effects of removal, including studies on the outcomes for children removed from the parental home and the long-term effects of the trauma that results from removal.