



Five Considerations for Courts Compensating Lived Experts

October 2023

Introduction

No one understands the child welfare system better than those who have experienced it. By genuinely involving youth, parents, and caregivers with firsthand experience with the child welfare system, child welfare system improvement efforts are co-created rather than solely influenced by courts and partners. To promote equity, cultivate a culture of inclusion, recognize their expertise, and show gratitude for their efforts, lived experts should be paid for their time and services.

Adequately compensating lived experts often presents administrative barriers for courts. Most court systems do not have clear policies or guidelines for paying lived experts for limited engagements, like participating on a committee or in a focus group, or the court's compensation policies may not be flexible enough to meet the needs of lived experts. Individuals with lived experience may need to receive payment in a specific way or a certain timeframe. They may also be concerned about how this compensation affects other income, benefits, or tax considerations. State and local courts can overcome these barriers by developing a standardized process for paying lived experts for a range of contributions and communicating with them about the payment process. The purpose of this brief is to provide considerations for courts seeking to establish a fair and flexible strategy for compensating lived experts.

Recommendations:

1. What is the scope of work lived experts will provide?

When determining compensation for lived experts, courts should first consider establishing a defined scope of work for the engagement or project. The scope of work should set clear expectations regarding the level of involvement, expected outcomes, and project objectives. It should be written in plain language and address the frequency of participation – for example, whether their involvement will be a single event or long-term engagement. Often, lived experts are recruited for individual events, like attending a meeting or participating in a training or focus group, and are issued a one-time payment. However, some jurisdictions have hired lived experts as court employees or contractors, expanding their role and engaging them routinely as peer partners or collaborators in system improvement efforts. By setting clear expectations for the level of involvement, courts can help distinguish between participation, where a single payment like a check or gift card may be appropriate, or a more long-term role, where compensation might

be best administered through payroll. Court administration should consider the lived expert's scope of work, participation level, and expected contribution to determine adequate compensation. The scope of work should be discussed with the lived expert before the project to ensure the attainment of expectations and the successful delivery of a satisfactory work product.

2. When and how will lived experts be paid?

Ideally, courts should have access to various payment options and consult with lived experts to identify which methods meet their needs. The nature of the task and the duration of their involvement in projects may dictate the appropriate payment type. If the scope of work identifies participation in a singular event, gift cards or honorariums may be a suitable method of compensation to pay lived experts upon completion of tasks. Gift cards may also be appropriate when individuals do not have traditional bank accounts. A payroll check offers a more stable payment method and a consistent pay schedule if lived experts' participation is ongoing. Courts should consider allowing lived experts to choose which payment method works best for their situation. Part of this discussion may include information on how their work as lived experts may affect other income, benefits, and tax obligations.

Collaborating with a third party is an alternative approach to compensating lived experts as court employees or contractors. Often, a third party can offer more flexible payment options than courts, allowing payments to be made at different intervals to meet the preferences of lived experts. Additionally, third parties may be able to provide funds in advance to cover expenses such as travel, accommodations, and childcare. Establishing these types of partnerships with third parties enables courts to engage with a diverse range of lived experts. Courts and third-party partners should establish a formal agreement outlining the compensation processing procedures and the intervals at which payments will be made to ensure all parties have the same expectations.

Example from the Field

The Washington State Administrative Office of the Courts (AOC) partners routinely with lived experts to incorporate the voice of families in system improvement efforts. The court is currently involved in ongoing collaboration with lived experts to co-design the Family Equity and Engagement Framework for Partnering with Lived Experts of the Child Welfare Court System. The Framework sets forth core values and practices to engage lived experts to create a better child welfare system that prioritizes families staying together.

The Washington AOC has historically contracted with various community organizations responsible for paying lived experts involved in systems change work. Partnering with third-party organizations has helped the AOC meaningfully engage lived experts while circumventing administrative payment challenges caused by a lack of flexibility in government policies. More recently, the AOC has worked with its contracting and payables department to develop an agreement specifically for partnering with lived experts that removes some of the previous hurdles. The AOC also issued an organization-wide policy to prioritize payment to lived experts so they do not need to wait for payment.

3. At what rate will lived experts be paid?

Rather than simply following state and federal minimum wage standards, courts should consider compensation rates that coincide with the work lived experts will be doing and strive to pay them expert market wages. Several resources provide guidance on establishing rates and examples of state rates, including the [Equitable Compensation Taskforce Report](#) from Thriving Families, Safer Children, and [A Starter Kit on Engaging People with Lived Experience in Child Support Programs](#). These resources reiterate the importance of paying lived experts a livable rate so courts can attract and retain their participation in projects and support their financial well-being. The resources also highlight the importance of periodically adjusting compensation rates to reflect the cost of living and ensure fair payment for their expert contributions.

The [Washington State Office of Equity published Community Compensation Guidelines](#) assist agencies in providing payment to individuals with lived experience participating in policy and planning discussions. The resource includes helpful considerations for paying livable wages, avoiding impacting benefit eligibility, reasonable allowances and more.

4. What will the onboarding process include?

When partnering with lived experts, courts should implement a generalized onboarding process. Onboarding should include an orientation to the project, acquainting individuals with court personnel, familiarizing them with the established ways of working, providing access to technology support, and setting clear expectations.¹ The goals of the onboarding process are to ensure lived experts understand their roles and responsibilities, know how to receive support if needed, and clarify the details of their compensation. By implementing a structured onboarding process, the courts can effectively acclimate the lived expert to the court culture, adequately prepare them for their role, and foster a sense of value and belonging within the team.

Effective onboarding is facilitated when court professionals have received training on including lived experts in court reform efforts. Trained staff can be better prepared to acknowledge the unique value of people with lived experience and identify opportunities for lived experts to participate in an impactful way. Equipping court professionals with a deeper understanding of how lived experts can assist their work is equally important to preparing lived experts for genuine involvement with the court.

Courts should also provide ongoing professional support (i.e., coaching, check-in calls, professional development, self-care training, and feedback sessions) to lived experts to further build their skills.² Courts can show a commitment to their partnership with lived experts by aligning professional development and participation opportunities with their personal interests whenever possible. A comprehensive onboarding process coupled with strategic, ongoing

¹ Thriving Families Safer Children. (2023). Equitable Compensation eTaskforce Report. Thriving Families Safer Children.

² Homer, A., (2019) Engaging people with lived/living experience: A guide for including people in poverty reduction. Tamarack Institute.

support helps lived experts feel welcomed and included and builds a strong foundation for continued efforts.

5. Are there clear policies for how the court will pay lived experts?

Implementing a policy on engaging and compensating lived experts demonstrates the court's commitment to meaningfully engaging with lived experts. A policy can provide a roadmap for operations and create standards to help shape the court's culture around including lived experts in court system improvements. Policies should detail recruitment strategies, the onboarding process, a list of necessary paperwork, flexible payment options, and compensation considerations based on the lived expert's scope of work. In addition, policies should articulate general compensation guidelines, like which costs will and will not be covered (i.e., travel, conference costs, lodging, childcare, meals). The policy should also include information on offering additional support to lived experts and opportunities for professional development.

Conclusion

Former foster youth, parents, and caregivers with lived experience are necessary partners in child welfare system improvement efforts and should be adequately compensated for their contributions. Court leaders can overcome challenges and barriers to meaningful engagement by developing a fair, flexible, and transparent compensation strategy to ensure that lived experts have a welcomed seat at the table and that their contributions are recognized and valued. As outlined above, courts can fairly compensate lived experts by (1) defining the scope of work, (2) deciding how they should be paid, (3) establishing compensation rates, (4) creating an onboarding process, and (5) developing clear and consistent payment guidelines and policies.

Acknowledgments: We want to thank the individuals who participated in the discussion of challenges and questions faced when paying lived experts working within their jurisdiction. Participants included Sarah Burns, Deborah Espinosa, Melissa Zielstorf, and Leroy Pascubillo from Washington, Cara Nord from the Colorado LEAP Program, and Corrie Griffith and Jennifer Vieira from the New Mexico Family Advocacy Program.



This document was prepared by the National Center for State Courts with funding from Casey Family Programs. Points of view or opinions expressed in this report are those of the authors and do not necessarily represent the position, opinions, or policies of Casey Family Programs.