Children's liberty interests are also co-extensive with a parent's interests. This means that the child's liberty interests are different from parents'. Children's liberty interests are broader and include, but are not limited to, the potential failings of the child welfare system. Children live the trauma of removal. When children are separated from their homes, they are subject to placement in a wide range of care placements, including institutional settings.

Children in dependency proceedings have a constitutional right to an attorney, and counsel for children in dependency proceedings must be appointed. In In re Gault, the United States Supreme Court struck down the TPR proceedings and because DFCS routinely makes errors in its custody. The Court held that a TPR does not constitute a child welfare case and is not a child welfare case. It's a constitutional law case. The risk of erroneous decisions to children is big. The United States District Court in the Northern District of Georgia concluded that the appointment of counsel can render too great of a risk of erroneous decisions to parents.

Furthermore, the appointment of counsel for children in dependency proceedings can adequately ensure only if the child's liberty interests are reasonably safe living conditions. The law often makes it impossible for two positions to be reconciled. To a child, all points of law are different. The law often does not have the same meaning as it does for adults. To children, one point of law is usually the most important.

In 2012, the citizens of the United States achieved a landmark victory when the U.S. Supreme Court ruled that the appointment of counsel for children in dependency proceedings is a constitutional right. This ruling was significant because it recognized the fundamental liberty interests of children and affirmed their right to have counsel in proceedings where their future is at stake. The government must establish where a child will live, and whether she will ever see her family again. The best way to accomplish this is through the appointment of counsel. The law often does not make it possible for two positions to be reconciled. To a child, all points of law are different. The law often makes it impossible for two positions to be reconciled.