

Practice Standards

September 26, 2018

Section XXII, Representation of Children in Dependent/Neglect Cases

2. TRAINING:

- A. To be eligible for assignment to represent children in these court proceedings, counsel shall demonstrate proficiency or receive training in representing children including training in the Indian Child Welfare Act.
- B. Counsel shall be knowledgeable in the following areas:
- a. Legislation and case law on abuse and neglect, termination of parental rights, and adoption of children, including those with special needs;
 - b. Child and adolescent development;
 - c. Child welfare and family preservation services available in the community and the problems they are designed to address;
 - d. Services and treatment options for youth both locally and statewide;
 - e. Services the State will and won't routinely pay for;
 - f. The structure and functioning of Child and Family Services of the Department of Public Health and Human Services;
 - g. Local experts who can provide attorneys with consultation and testimony on the reasonableness and appropriateness of efforts to maintain or return the child to the home;
 - h. Local and state experts who can provide attorneys with consultation and testimony of the special needs of Indian children and cultural differences;
 - i. Basic knowledge of brain development and the effect of trauma on brain development;
 - j. Basic knowledge of mental health issues;
 - k. Substance abuse issues;
 - l. Special education laws, rights and remedies;
 - m. School related issues including school disciplinary procedures, zero tolerance policies, and IEP's; and
 - n. Basic knowledge of disability issues and rights. (from OPD Standards for parents and juveniles)