

# STANDARDS OF REPRESENTATION IN JUVENILE DEPENDENCY CASES

## **The Role of the Attorney at CRB Reviews**

The expectations for an attorney at a CRB review are essentially the same as those for the attorney at a review hearing in court. The Oregon State Bar's Standards of Representation in Juvenile Dependency Cases require contact between the attorney and the client (parent or child) before a hearing or CRB review. The attorney is expected to conduct an appropriate investigation prior to the hearing or review, including reviewing agency files, interviewing the client, interviewing the caseworker, and contacting other agencies or professionals who are providing services to the client.

### ***At the CRB review, attorneys for the children and parents should be prepared to address:***

- Whether there is a basis for jurisdiction to continue
- Whether there is a continued need for placement
- Reasons the child can or cannot presently be protected in the family home if services are provided
- Whether DHS is making reasonable (or active) efforts to reunify the family
- Whether the court approved plan is the best plan (attorney for parent)
- Whether the court approved plan meets the child's wishes (or if the child has diminished capacity, is the best plan for the child)
- Whether the case plan or service agreement needs to be clarified or modified
- What is the client's position on the concurrent plan
- The appropriateness of the child's placement
- Whether previous orders regarding visitation/parenting time, services or other case related issues should be modified; and
- Request specific findings and recommendations that advance the client's position.

**Attorneys for parents should ensure that parents receive clear statements of:**

- the court's expectations,
- statutory timelines,
- the possibility of the child's return if sufficient progress is made, and
- the risk of implementing the concurrent plan if sufficient progress is lacking.

- **Attorneys for children should initially meet with child clients, including preverbal children, in the child's environment, unless the child states that s/he does not want the lawyer to do so.**
- **"Preverbal children can provide valuable information about their needs through their behavior, including their interactions with caretakers and other children or adults."**
- **Throughout the case, lawyer contact can be in whatever way the lawyer determines is necessary to develop and maintain a lawyer-client relationship with the child.**