



## The Role of the Child's Attorney at CRB Reviews

The expectations for a child's attorney at a CRB review are essentially the same as the expectations for the attorney at a review hearing in court. The Oregon State Bar publishes Specific Standards for Representation in Juvenile Dependency Cases<sup>1</sup> which outline the professional standards for attorneys who represent children. These standards require that the attorney ensures the child is aware that they have an attorney and that the attorney communicates regularly and effectively with the child. In order to provide competent representation, the attorney must establish a relationship with the child.

The Standards state that the attorney should make initial contact with the child within 24 hours of appointment and, when feasible, conduct an initial interview within 72 hours. Contact with the child must be conducted at least quarterly. The Standards include specific events when the attorney should have contact with the child, including before a court hearing or CRB review, before any important decision affecting the child's life, before and after significant transitions (like a placement move), and at the request of the child. These requirements for attorney contact with the child apply even with preverbal or very young children; young children can provide valuable information about their needs through their behavior and interactions with caregivers. The attorney is expected to conduct an appropriate investigation prior to a court hearing or CRB review, including reviewing agency files, interviewing the client, interviewing the caseworker, and contacting other agencies or professionals who are providing services to the child.

At the CRB, the attorney for the child 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, if ICWA) efforts to reunify the family
- Whether the court approved plan meets the child's wishes (or if the child has diminished capacity, is the best plan for the child)
- What is the child's position on the concurrent plan
- 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.

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<sup>1</sup> <http://www.osbar.org/docs/resources/juveniletaskforce/JTFR3.pdf>