

Practice Standards

September 26, 2018

Section XVII, Representation of Parents in Dependent/Neglect Cases

1. TRAINING:

A. To be eligible for assignment to represent parents in these court proceedings, counsel shall demonstrate proficiency or receive training in representing parents and 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 with special needs;
- b. The causes and available treatments of child abuse;
- c. Child welfare and family preservation services available in the community and the problems they are designed to address;
- d. Services the State will and won't routinely pay for;
- e. The structure and functioning of Child and Family Services of the Department of Public Health and Human Services;
- f. 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;
- g. Local and state experts who can provide attorneys with consultation and testimony of the special needs of Indian children and cultural differences;
- h. Child and adolescent development;
- i. Brain development and the effect of trauma on brain development;
- j. Substance abuse issues;
- k. Mental health issues; and
- l. Disability issues.