

## **Appendix A**

### **CORE PRINCIPLES FOR PROVIDING QUALITY DEPRIVATION REPRESENTATION THROUGH DCCAC ADVOCACY DELIVERY SYSTEMS**

1. The DCCAC Advocacy Delivery System Upholds a Juvenile's Right to Counsel Throughout the Deprivation Process and Recognizes the Need For Zealous Representation to Protect Children's Best Interest.
  - A. The DCCAC advocacy delivery system should ensure that child advocate attorneys are assigned at the earliest possible stage of deprivation proceedings.
  - B. The DCCAC advocacy delivery system recognizes that the deprivation process is adversarial and should provide children with continuous legal representation throughout the deprivation process including, but not limited to, adjudicatory hearing, pre-trial motions or hearings, disposition, post-disposition, review hearings, non-reunification hearings, termination of parental rights hearings, appeal, and sealing of records.
  - C. The DCCAC advocacy delivery system should include the active participation of the private bar or conflict office whenever a conflict of interest arises for the primary service provider.
2. The DCCAC Advocacy Delivery System Recognizes that Legal Representation of Children in Deprivation Matters is a Specialized Area of the Law
  - A. The DCCAC advocacy delivery system recognizes that representing children in deprivation proceedings is a complex specialty in the law and that it is different from, but equally as important as, the legal representation of adults.
  - B. The DCCAC advocacy delivery system model demonstrates that it respects its juvenile advocacy team members and that it values

the provision of quality, zealous and comprehensive deprivation representation services.

- C. The DCCAC advocacy delivery system recognizes that deprivation representation is not a training assignment for new attorneys or future adult court advocates, and it requires effective attorneys to provide deprivation representation.
3. The DCCAC Advocacy Delivery System Supports Quality Juvenile Deprivation Representation Through Personnel and Resource Parity
- A. The DCCAC advocacy delivery system encourages juvenile representation specialization without limiting attorney and support staff access to promotional progression, financial advancement, or personnel benefits.
  - B. The DCCAC advocacy delivery system provides a professional work environment and adequate operational resources such as office space, furnishings, support staff, technology, confidential client interview areas, and current legal research tools. The system includes juvenile representation resources in budgetary planning to ensure parity in the allocation of equipment and resources.
4. The DCCAC Advocacy Delivery System Supervises Attorneys and Staff and Monitors Work and Caseloads
- A. The leadership of the DCCAC advocacy delivery system monitors advocacy counsel caseloads to permit the rendering of quality representation. The workload of DCCAC child advocate attorneys and support staff should never be so large as to interfere with the rendering of zealous advocacy or continuing client contact, nor should it lead to the breach of ethical obligations.
  - B. Whenever it is deemed appropriate, the leadership of the DCCAC advocacy delivery system, in consultation with staff, may adjust attorney case assignments and resources to guarantee the continued delivery of quality child advocacy services in

deprivation matters.

5. The DCCAC Advocacy Delivery System Supervises and Systematically Reviews Juvenile Advocacy Team Staff for Quality According to Appropriate Guidelines or Standards
  - A. The DCCAC advocacy delivery system provides supervision and management direction for attorneys and all team members who provide deprivation representation services to children.
  - B. The leadership of the DCCAC advocacy delivery system adopts guidelines and clearly defines the organization's vision as well as expectations for the delivery of quality legal representation. These guidelines should be consistent with performance standards, measures or rules.
  - C. The DCCAC advocacy delivery system provides administrative monitoring, coaching and systematic reviews for all attorneys and staff representing juveniles, whether contract advocates, assigned counsel or employees of advocacy offices.
  
6. The DCCAC Advocacy System Provides and Supports Comprehensive, Ongoing Training and Education for All Attorneys and Support Staff involved in the Representation of Children.
  - A. The DCCAC advocacy delivery system supports and encourages child advocacy team members through internal and external comprehensive training on topics, including, but not limited to, deprivation advocacy, litigation and trial skills, dispositional planning, post-dispositional practice, educational rights, appellate advocacy and administrative hearing representation.
  - B. The DCCAC advocacy delivery system recognizes juvenile deprivation advocacy as a specialty that requires continuous training in unique areas of the law. In addition to understanding the juvenile court process and systems and the laws and rules governing the deprivation process in Georgia, juvenile team members should be competent in the following areas:

1. State and federal child welfare laws, regulations, and entitlements
  2. The *Kenny A.* Consent Decree between Plaintiffs and the State Defendants
  3. Child and adolescent development
  4. Communicating and building attorney-client relationships with children and adolescents
  5. Community-based treatment resources and programs
  6. Competency and capacity
  7. Counsel's role in treatment and problem solving courts
  8. Deprivation court/abuse and neglect court process, working knowledge of the Juvenile Justice system and the criminal justice system as applied to persons under the age of 21
  9. Community-based services
  - 10.DFCS's diversion or differential response system to CPS cases
  - 11.Drug addiction and substance abuse
  - 12.Ethical issues and considerations
  - 13.Gender-specific programming
  - 14.Immigration
  - 15.Mental health, physical health and treatment
  - 16.Racial, ethnic and cultural understanding
  - 17.Role of parents/guardians
  - 18.Sexual orientation and gender identity awareness
  - 19.Special education
  - 20.Zero tolerance, school suspension and expulsion policies
7. The DCCAC Advocacy Delivery System Must Promote Fairness and Equity For Children.
- A. The DCCAC advocacy delivery system should demonstrate strong support for the right to counsel and due process in court.
  - B. The leadership of the DCCAC advocacy delivery system should advocate for positive change through legal advocacy, legislative improvements and systems reform on behalf of the children whom they serve.

- C. The leadership and staff of the DCCAC advocacy delivery system are active participants in the community to improve school, mental health and other treatment services and opportunities available to children and families involved in the child welfare system.