

## AGENDA

### **Zealous Advocacy in CHIPS Cases: What Parents' Attorneys Need to Know to Effectively Advocate for their Clients**

**Earle Brown Heritage Center  
Garden City Ballroom  
6155 Earle Brown Drive  
Minneapolis, MN 55430**

### **Day 1: Social Sciences Wednesday – June 15, 2016**

- 8:00 – 9:00**      **Registration and Networking** (*beverages only - no breakfast*)
- 9:00 – 9:15**      **Welcome and Overview of Conference**  
❖ *Judith Nord, Staff Attorney & Manager, Children's Justice Initiative, State Court Administration*
- 9:15 – 10:15**      **My Child Has Been Taken Away: Understanding Your Client's Needs**  
❖ *Facilitator: Larene Randle, Parent Mentor Network Director, Prevent Child Abuse Minnesota*  
❖ *Panel of CHIPS Parent Mentors: Lisa Crocket, Demond Jackson, Cherise Payton, October Seaberg, Elizabeth Vadnais*  
➤ Parent mentors share what attorneys should know about representing parents in cases where permanent separation from their children is at stake
- 10:15 – 10:30**      **Break**
- 10:30 – 11:30**      **Trauma: Impact on Healthy Child Development**  
❖ *Elizabeth Carlson, Ph.D., Institute of Child Development, University of Minnesota*  
➤ Adverse Childhood Trauma (ACEs)  
➤ Overview of the impact of trauma, including abuse and neglect, on the healthy development of children  
➤ Identifying and delivering services to children and parents who have and are experiencing trauma

- 11:30 – 12:30**      **Lunch** (*provided by CJI*)
- 12:00 – 12:30**      (*Lunchtime address*)  
**Best Practices for Attorneys Who Represent Parents**
- ❖ *Joanna Woolman, Associate Professor of Law and Director, Child Protection Program, Mitchell Hamline School of Law*
  - ❖ *Diana Rugh Johnson, Parents' Attorney, Atlanta, Georgia*
    - Overview of ABA's recommended best practices for parents' attorneys
    - Discussion about best practices and barriers to best practices in Minnesota
- 12:30 – 1:30**      **Minnesota's Permanency Laws and Timeline: Tools for Parents**
- ❖ *Judith Nord, Staff Attorney & CJI Manager, State Court Administration*
    - Minnesota's permanency timeline and reasonable/active efforts requirements
    - Using the timeline and requirements to the advantage of children and families
- 1:30 – 2:30**      **Challenges to Parents Involved in CHIPS Cases: Mental Health Disorders**
- ❖ *Deena McMahon, MSW, LISW, McMahon Counseling & Consultation*
    - Overview of "common" mental health disorders and how are they diagnosed
    - Impact of mental health disorders on a parent's ability to safely parent their child
    - Short- and long-term outcomes and recovery prognosis
    - Impact of recovery prognosis on permanency timeline
    - Understanding how attorneys can best represent parents who have mental health disorders
- 2:30 – 2:45**      **Break**
- 2:45 – 3:45**      **Challenges to Parents Involved in CHIPS Cases: Substance Abuse**
- ❖ *Carmen Finn, LADC, Director of Treatment Services, Wayside Family Treatment House*
    - Overview of substance abuse as a brain disease
    - Impact of chemical dependency on a parent's ability to safely parent their child
    - Treatment options
    - Short- and long-term outcomes and recovery prognosis
    - Impact of recovery prognosis on child protection permanency timeline
    - Understanding how attorneys can best represent parents who have substance abuse disorders

**3:45 – 4:45**

**Challenges to Families Involved in CHIPS Cases: Domestic Violence**

- ❖ *Elizabeth “Zeb” Henderson Shreve, MSW, LICSW, The Family Partnership*
  - Overview of domestic violence
  - Impact of domestic violence on a parent’s (both the abuser and the victim) ability to safely parent their child
  - Treatment options
  - Short- and long-term outcomes and treatment prognosis
  - Impact of treatment prognosis on child protection permanency timeline

**4:45 – 5:15**

**Challenges to Families Involved in CHIPS Cases: Public Benefits Available to Assist Families**

- ❖ *Ann Quincy, Supervising Attorney, Mid-Minnesota Legal Assistance*
  - The role poverty plays as a contributing factor to abuse or neglect
  - Impact of lack housing or adequate housing
  - Impact of lack of transportation
  - Public benefits available to children and families (MA, MFIP, housing subsidies, transportation assistance)
  - Understanding how attorneys can best assist families in poverty

**5:15**

**Adjourn**

**Day 2: Parent Attorney Roles and Responsibilities**  
**Thursday – June 16, 2016**

- 7:30 – 8:30**            **Registration and Networking** (*continental breakfast provided*)
- 8:30 – 9:15**            **Foundations of Strong Parent Advocacy**  
❖ *Diana Rugh Johnson, Parents' Attorney, Atlanta, Georgia*
- 9:15 – 10:15**        **Professional Responsibility Issues for Parents' Attorneys**  
❖ *Susan Humiston, Director, Office of Lawyer's Professional Responsibility*
  - Representing clients with diminished capacity (e.g., issues regarding decision making and substitute judgment)
  - Potential conflicts of interest (e.g., representing both parents)
- 10:15 – 10:30**        **Break**
- 10:30 – 11:30**        **The Indian Child Welfare Act (ICWA): Purpose and Key Components**  
❖ *Jessica Ryan, Tribal Attorney, BlueDog, Paulson & Small*
  - Purpose and key components of the ICWA
  - Role of parent's attorney in ensuring compliance with the ICWA
  - Transfer of proceedings to tribal court
  - Additional time for parent to prepare
  - Appointment of counsel for parents of an Indian child
- 11:30 – 12:00**        **Lunch** (*provided by CJI*)
- 12:00 – 12:30**        (*Lunchtime address*)  
**Engaging Your Client**  
❖ *Joanna Woolman, Associate Professor of Law and Director, Child Protection Program, Mitchell Hamline School of Law*  
❖ *Diana Rugh Johnson, Parents' Attorney, Atlanta, Georgia*
  - Establishing client trust
  - Defining client's goals
  - Defining scope of representation
  - Meeting your client where he/she is regarding substance abuse, mental health, domestic violence, and/or poverty issues
  - Managing your client's expectations
  - Engaging the client for behavioral awareness and change
  - Client contact between hearings

12:30 – 12:45

**Move to Breakout sessions**

12:45 – 2:00

**Breakout Sessions Round 1: Attorney Roles and Responsibilities**

**(1) Client Advocacy from the EPC Hearing Through Adjudication**

**Location:** [Captains Room](#)

- ❖ *Sharon Benson, Parents' Attorney, Benson Law Office, St. Cloud*
- ❖ *Patricia Zenner, Parents' Attorney, Zenner Law Office, Stillwater*
  - EPC hearing
  - CHIPS admit/deny hearing
  - Adjudication and disposition

**(2) Client Advocacy from Disposition Through Permanency**

**Location:** [Harvest Room A](#)

- ❖ *Nicole Gronneberg, Parents' Attorney, Gronneberg Law Office, St. Paul*
- ❖ *Megan Hunt, Parents' Attorney, Hunt Law Office, Stillwater*
  - Disposition review hearing
  - Permanency progress review hearing
  - Permanency admit/deny hearing (and pre-trial and trial)
  - Post-permanency review hearings
  - Evidentiary issues
  - Motion practice

**(3) Juvenile Court Practice**

**Location:** [Harvest Room B/C](#)

- ❖ *Amy Chantry, Parents' Attorney, Chantry Law Office, St. Cloud*
- ❖ *Cathy Gabriel, Parents' Attorney, CGW Law Office, Annandale*
  - Investigation
  - Informal and formal discovery
  - Managing expert witnesses
  - Negotiation and exploring settlement possibilities
  - Court preparation
  - Case planning (pre- and post-removal; client advocacy)
  - Institutional pressures (e.g., workload, pay, access to resources)

2:00 – 2:15

**Break**

2:15 – 3:30

**Breakout Sessions Round 2: Attorney Roles and Responsibilities**

**(4) Client Advocacy from the EPC Hearing Through Adjudication**

*(Repeat of Round 1)* **Location:** [Captains Room](#)

**(5) Client Advocacy from Disposition Through Permanency**

*(Repeat of Round 1)* **Location:** [Harvest Room A](#)

**(6) Juvenile Court Practice**

*(Repeat of Round 1)* **Location:** [Harvest Room B/C](#)

**3:30 – 3:45**

**Break**

**3:45 – 5:00**

**Breakout Sessions Round 3: Attorney Roles and Responsibilities**

(7) **Client Advocacy from the EPC Hearing Through Adjudication**

*(Repeat of Round 1)* Location: [Captains Room](#)

(8) **Client Advocacy from Disposition Through Permanency**

*(Repeat of Round 1)* Location: [Harvest Room A](#)

(9) **Juvenile Court Practice**

*(Repeat of Round 1)* Location: [Harvest Room B/C](#)

**5:00**

**Adjourn**

**Day 3: Collaboration and Special Representation Issues**  
**Friday – June 17, 2016**

- 7:30 – 8:30**                    **Registration and Networking** (*continental breakfast provided*)
- 8:30 – 9:30**                    **Stakeholder Panel: Ethical Collaboration Amidst Zealous Client Advocacy**
- ❖ *Facilitator: Hon. Jon Rodenberg, Minnesota Court of Appeals*
  - ❖ *District Court Judge: Hon. John McBride, Washington County District Court*
  - ❖ *County Attorney: Jennifer Jackson, Assistant Dakota County Attorney*
  - ❖ *Social Services: Suzanne Arntson, Child Welfare Manager, Scott County Social Services*
  - ❖ *Guardian Ad Litem: Brian Ansberry, Manager, 7<sup>th</sup> District GAL Program*
  - ❖ *Parents' Attorney: Shannon Smith, Executive Director, Indian Child Welfare Law Center*
  - ❖ *Child's Attorney: Anne Gueinzus, Managing Attorney, Children's Law Center of Minnesota*
    - Child protection system stakeholders share their expertise about the importance of collaborating to ensure positive outcomes for children, while still advocating zealously for their clients' rights and needs
- 9:30 – 10:30**                    **Case Plan Development: What the Law Requires and Ensuring Your Client's Involvement**
- ❖ *Janine LePage, Assistant Crow Wing County Attorney*
    - Legal requirements for developing protective services cases plans and out-of-home placement plans
    - How protective services cases plans and out-of-home placement plans are designed to address goals of children's safety and permanency and parents' demonstrated and sustained behavioral change
    - How to ensure your client's voice is heard and needs identified in the case plan so he/she has support necessary to correct the conditions leading to the child's out of home placement
    - Parental behavioral change sufficient to allow children to safely remain at home or be returned home
- 10:30 – 10:45**                    **Break**
- 10:45 – 11:30**                    **Appellate Practice to Strengthen Your Parent Advocacy**
- ❖ *Hon Jon Rodenberg, Minnesota Court of Appeals*
    - Ensuring your client's appellate timelines are met – even if you are not the appellate attorney
    - Top five “do’s” and “don’ts” for appellate practice
    - Overview of significant federal and state appellate court cases related to reasonable/active efforts, case planning, and termination of parental rights

- 11:30 – 12:30**      **Lunch** (*provided by CJI*)
- 12:30 – 1:00**      **Representing Undocumented Parents**  
 ❖ *Eren Sutherland, Staff Attorney, Immigration Project, Mid-Minnesota Legal Aid*
- Overview of issues to consider when representing undocumented parents
  - Strategies for advising undocumented clients regarding available options within the bounds of federal and state laws
- 1:00 – 1:30**      **Representing Incarcerated Parents**  
 ❖ *Joanna Woolman, Associate Professor of Law and Director, Child Protection Program, Mitchell Hamline School of Law*
- Issues to consider when representing incarcerated parents
  - Strategies for advising incarcerated parents (does length of incarceration matter)
- 1:30 – 2:15**      **Litigating Maltreatment Findings**  
 ❖ *John Geffen, JD, Arneson & Geffen*
- Overview of maltreatment law and maltreatment determination process in child protection cases
  - Overview of consequences of maltreatment determination on parents
  - Strategies and tools for parent attorneys seeking to help clients challenge maltreatment determination
- 2:15 – 2:30**      **Pulling It All Together and Applying to be Listed on the Roster of Qualified Parents' Attorneys**  
 ❖ *Judith Nord, Staff Attorney & Manager, Children's Justice Initiative, State Court Administration*
- Children's Justice Initiative – Role of parents' attorneys in improving practice
  - Process for registering to be listed on roster of qualified parents' attorneys
  - Resources: Parents' attorney list serves – National and Minnesota
- 2:30**              **Conference Concludes**

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