

AGENDA

Zealous Advocacy in CHIPS Cases: What Attorneys Need to Know

Presented by Trainers from The Juvenile Law Society



Day 1: Law and Practice – Ann Haralambie Tuesday September 6 and Thursday September 29

- 8:15 – 9:00** **Registration and Breakfast**
- 9:00 – 9:15** **Welcome and Introductions**
Judy Nord, Staff Attorney & Manager, Children's Justice Initiative
Sept. 6: Lucinda Jessen, Commissioner, Minnesota Dept. of Human Services
Sept. 29: Hon. Lorie Gildea, Chief Justice, Minnesota Supreme Court
- 9:15 – 10:30** **The Context of Federal and State Child Welfare Law**
- Child Welfare Case Procedure
 - The Dependency Case Process and Stages
 - Jurisdiction
 - UCCJEA (Uniform Child Custody Juris. and Enforcement Act)
 - PKPA (Parental Kidnapping Prevention Act)
 - ICPC (Interstate Compact on the Placement of Children)
 - Hague Abduction Convention/ICARA
 - Indian Child Welfare Act (ICWA)
 - People/Proceedings Covered
 - Exclusive Tribal Jurisdiction
 - Concurrent State Jurisdiction
 - Standards of Proof
 - Expert Testimony
 - Placement Preferences
- 10:30 – 10:45** **Break**

- 10:45 – 11:00** **Minnesota Permanency Timeline (Judy Nord)**
- 11:00 – 12:00** **Constitutional Framework**
- State’s Rights/Duties
 - Parents’ Rights
 - Children’s Rights
 - Standards of Proof
 - Proving Abuse and Neglect
 - Case legal Elements
 - Adjudication
 - Disposition
 - Termination
 - Standards of Proof
 - Child Sexual Abuse
 - Physical Abuse
 - Neglect
 - Emotional Abuse
 - Abandonment
- 12:00 – 1:00** **Lunch** (*America’s Harvest Restaurant*)
- 1:00 – 3:00** **Child Development, Memory, Suggestibility**
- Federal Statutory Framework**
- CAPTA (Child Abuse Prevention and Treatment Act)
 - AFSA (Adoption and Safe Families Act)
 - Fostering Connections to Success Act
 - Chafee Foster Care Independence Act
 - McKinney-Vento
 - IDEA (Individuals With Disabilities Education Act)
 - FERPA (Family Educational Rights and Privacy Act)
 - HIPAA (Substance Abuse Records)
 - Immigration
 - SJIS (Special Juvenile Immigration Status)
 - VAWA (Violence Against Women Act)
- 3:00 – 3:15** **Break**
- 3:15 – 5:00** **Ethics and Standards of Practice**
- ABA Model Rules of Professional Conduct and Rule 1.14
 - ABA Standards for Agencies, Parents, and Children
- 5:00** **Adjourn**

Day 2: Trial Skills – Marvin Ventrell
Wednesday September 7 and Friday September 30

8:00 – 9:00	Breakfast and Networking
9:00 – 10:30	Case Analysis: The Story of the Family Direct Examination: The Words of the Story Closing Argument: Organization and Technique
10:30 – 10:45	Break
10:45 – 12:00	Cross Examination Minimizing and Marginalizing Witness Impact Expert Witness Exam: Moving from Perception to Belief
12:00 – 1:00	Lunch (<i>America's Harvest Restaurant</i>)
1:00 – 3:00	Difficult Witnesses: Managing the Challenge Exhibits and Their Foundations: Picture This Making and Meeting Objections: The Rules of the Trial
3:00 – 3:15	Break
3:15 – 4:30	Opening Statement: Imprinting the Story Ethics and Professionalism: Integrity in the Courtroom
4:30	Adjourn

Juvenile Law Society® Precenters



Ann M. Haralambie is a Certified Family Law Specialist, Arizona Board of Legal Specialization, and a Martindale-Hubbell AV® Preeminent™ rated attorney in private practice in Tucson, Arizona since 1977. Her practice is restricted to family and (nondelinquency) juvenile cases, with an emphasis on custody and child abuse. The practice is child focused and seeks to minimize the harm that often occurs when child custody is litigated. Ms. Haralambie is also an author and a national and international speaker and trainer for professional groups on topics related to custody, child abuse, and child advocacy. She serves as a consultant to and member of a number of national organizations dealing with family and child welfare law.



She has served in a number of leadership roles within the legal and child welfare communities. An important part of her law practice is a balance between practical, day-to-day representation of clients and legal scholarship and teaching. The client representation grounds her writing and lecturing in real world, practical experience. Her writing and research keeps her knowledge cutting edge and her representation grounded in law and policy. Ms. Haralambie's three-volume West book, a third edition published in November 2009, is supplemented annually. Her three major law books are written primarily for a legal and multi-disciplinary professional audience. Ms. Haralambie's treatise, *Handling Child Custody, Abuse, and Adoption Cases* is a one-stop resource that combines coverage of the law with proven trial strategies and hands-on practice tools in child custody, abuse, and adoption cases. It covers a full range of crucial topics, such as establishing parentage, proving abuse, terminating parental rights, drafting mediation agreements, and awarding joint custody.

Marvin Ventrell founded the Juvenile Law Society in 2009 following 15 years as the chief executive officer of the National Association of Counsel for Children. In his 26-year legal career, Mr. Ventrell has been a litigation firm associate and partner, a public defender, an association director, a policy advocate, a teacher, and a trial skills instructor. He is a recipient of the ABA Child Advocacy Award and the Kempe Award, and is a Fellow of the Colorado Bar Foundation. Mr. Ventrell co-directed the national program sponsored by the U.S. Dept. of HHS Children's Bureau that established Child Welfare Law as a formal legal specialty and created the Child Welfare Attorney Certification Program. He co-edited the national treatise, *Child Welfare Law and Practice*, and compiled the national examination for child welfare law proficiency. He is also the author of numerous articles and book chapters including, *The Evolution of the Dependency Component of the Juvenile Court*. Mr. Ventrell is responsible for the creation of the National Children's Law Office Project that supports the creation and maintenance of model children's law offices through the project publication, *Children's Law Office Guidebook*. Together with the National Institute for Trial Advocacy (NITA), Mr. Ventrell established the annual NITA *Rocky Mountain Child Advocacy Training Institute*, now in its 17th year. He serves as a faculty trial skills trainer for NITA's National, Regional, and Specialty Programs. He published *Trial Advocacy for the Child Welfare Lawyer* in 2011.

