



Colorado Office of the Child's Representative

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Summer 2013 Newsletter

Notes from the Director

Summer is here and, as we finalize our attorney lists for each judicial district, I am reminded of retired Judge Dennis Maes' comments as our keynote speaker at our Pueblo conference in April. Judge Maes advised the audience that each of them had been hand-selected to do this critically important work. Those words have resonated with me throughout this contracting cycle, as that is, in fact, exactly what we do. This year, in response to our attorney feedback, OCR instituted staggered three-year contracts such that one third of districts will be selected for a full evaluation each year. The judicial districts involved in the first evaluation include the 1st, 3rd, 4th, 9th, 10th, 17th and 19th. The evaluation is thorough and, in addition to a review of Stakeholder feedback, includes formal court observations, an analysis of CARES data, and individual attorney interviews. In an effort to reach out to the end users of our attorney services, we are also speaking with references attorneys provided from three different groups: youth, parents and caregivers. As I have reviewed those telephone interviews, I have been struck by the impact guardians ad litem have on children's lives. Comments like, "my GAL was my champion," "my GAL really tried to get to know me," and "the GAL made all the difference because they kept fighting for what the kids needed" reinforce the value of committed, involved legal advocates.

Summer is also the time we close our books on the fiscal year. In FY 2013, we saw an increase in the number of appointments and associated expenses paid as compared to FY 2012. That includes appointments as counsel for children in D&N cases as OCR's authority was expanded to include payment for those appointments in March of this year through Chief Justice Directive 04-06 (see page 5). As I write, OCR projects that we will close out this fiscal year with in .01% of spending

our total appropriation, which, on a \$19 million budget, is simply amazing.

Going forward, we are gearing up for several exciting training opportunities. We are hard at work preparing for OCR's Summer Conference, July 29-30 in Silverthorne, and I hope to see all of you there. In addition,

we are involved in several national conferences to showcase the hard work going on in Colorado on behalf of children. Our staff will be presenting on "Effective and Efficient: An Evaluation of Multi-disciplinary Law Offices" at the American Bar Association's 15th Annual Conference on Children and the Law in Washington D.C. , July 12-13. Sheri Danz has put together a panel on "Ethical Challenges for Children's Attorneys and Attorney GALs" for the National Association of Counsel for Children's 36th Annual Conference in Atlanta, Georgia, August 26-28.

The work you do is incredibly hard. It is also incredibly important. As always, OCR's goal is to support the work you do on behalf of Colorado's children. Please reach out to our staff with your thoughts or suggestions. Have a great summer! ♦

- Linda Weinerman, Executive Director



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Summer Legal Review

Summaries of new cases and legislation brought to you by OCR's Staff Attorneys



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■ 1. U.S. Supreme Court Decisions

Adoptive Couple v. Baby Girl, Docket No. 12-399 (certiorari granted 1/14/13) In this case, the United States Supreme Court considers the following two issues:(1) Whether a non-custodial parent can invoke the Indian Child Welfare Act of 1978 to block an adoption voluntarily and lawfully initiated by a non-Indian parent under state law; and (2) whether ICWA defines “parent” in 25 U.S.C. § 1903(9) to include an unwed biological father who has not complied with state law rules to attain legal status as a parent.

The Court holds that 25 U.S.C. § 1912(f) (requiring prior to involuntary termination of parental rights a finding that serious harm to the Indian child is likely to result from parent’s continued custody of the child) and 25 U.S.C. § 1912(d) (conditioning involuntary termination of parental rights on a finding that active efforts have been made to prevent the break up of the Indian family) do not apply when a parent never had custody of the child. In its reasoning, the Court focuses on the definitions of “continued” and “break up”, and it also looks to the ICWA’s stated purpose to conclude that “when, as here, the adoption of an Indian child is voluntarily and lawfully initiated by a non-Indian parent with sole custodial rights, the ICWA’s primary goal of preventing the unwarranted removal of Indian children and the dissolution of Indian families is not indicated.”

The Court also holds that that the placement preference scheme set forth in 25 U.S.C. § 1915(a) “does not bar a non-Indian family . . . from adopting an Indian child when no other eligible candidates have sought to adopt the child.”

Justice Alito delivered the majority opinion. Justices Thomas and Breyer wrote concurring opinions. Justice Sotomayor wrote a dissenting opinion, which was joined by Justice Ginsburg and Kagan and joined in part by Justice Scalia.

■ 2. Colorado Supreme Court Pending Cases

People in the Interest of O.C., 12SC835 (cert. granted November 19, 2012) Whether the Court of Appeals erred in concluding that relatives may intervene as a matter of right any time following adjudication, even when they have not had a child in their care at least three months prior to intervention under § 19-3-507(5)(a).

■ 3. Colorado Supreme Court Decisions

People v. Brothers, 13 CO 31 (May 28, 2013). In an original proceeding filed pursuant to C.A.R. 21, the Supreme Court holds that the trial court abused its discretion by refusing to consider the District Attorney’s motion to quash a subpoena for an alleged child-victim of sexual assault to testify at a preliminary hearing. As a preliminary matter, the Court holds that the District Attorney did have standing to move to quash the subpoena, given the District’s Attorney’s interests in ensuring the propriety of subpoenas, engaging in case management, and preventing witness harassment. *See also People v. Spykstra, 234 P.3d 662 (Colo. 2010)*. The Court then determines that although it is in the sound discretion of the trial court to determine whether to take up a motion to quash a witness subpoena, given the possibility of harm presented to the child by being required to attend the preliminary hearing, the trial court abused its discretion by not quashing the subpoena.

M.S. v. People ex rel. A.C., 11 SC 725 (cert granted Nov. 14, 2011) In a case concerning whether pre-adoptive foster parents of a child whose biological parents’ rights have been terminated have a constitutionally protected liberty interest in the continuing relationship with the child and a right to due process concerning removal of the child from the parents’ home, the Colorado Supreme Court holds that “preadoptive” foster parents have no legal rights to a child placed in their care and are not entitled to due process concerning removal of the child from their care.

Stating that “preadoptive” or “prospective” foster parents are “indistinguishable from a typical foster care placement,” the Court affirms that placement decisions are focused on the best interests of the child. The Court specifically notes that nothing in the Children’s Code prohibits the removal of a child from a foster placement and that the juvenile court “must consider and act on the child’s best interests.”

In this case, the foster parents had not initiated adoption proceedings and the notice provisions set forth in § 19-5-210(1.5) C.R.S. did not apply.

[\(Continued on page 3\)](#)

Legal Review

(Continued from page 2)

■ 4. Colorado Court of Appeals Cases

In the Interest of T.E.R., 2013 COA 73 (May 9, 2013). The Court upholds the juvenile court's order denying transfer of jurisdiction under 24 U.S.C. § 1911(b) and order terminating the parent-child legal relationship. In this juvenile proceeding involving an Indian child as defined by the Indian Child Welfare Act, respondent mother filed a motion to transfer jurisdiction to the tribal court approximately eight months into the case and after the motion to terminate the parent-child relationship had been filed. Although the tribe had intervened in the case, the tribe did not take a position on mother's motion to transfer. The juvenile court denied mother's motion to transfer, finding good cause to retain jurisdiction given the advanced stage of the proceeding and that the evidence necessary to decide the case could not be adequately presented in the tribal court without undue hardship to the parties or witnesses.

The Court of Appeals determines that the record contains substantial evidence to support the juvenile court's good cause finding, relying on the BIA Guidelines and authority from several other state courts.

With regard to the advanced stage analysis, the Court specifically points out that eight months had passed prior to mother's motion to transfer and that several significant hearings had already occurred in the proceeding, including but not limited to the adjudication of the child, the dispositional hearing, the permanency planning hearing, and multiple reviews. The Court rejects mother's contention on appeal that the trial court "improperly compressed the advanced stage analysis" by considering the guidelines for expedited permanency planning, concluding that the record does not indicate that the juvenile court relied on the EPP provisions to find the case was at an advanced stage. With regard to the trial court's undue hardship findings, the Court of Appeals concludes that the evidence showing that although mother had moved to Michigan where the proceedings would take place, the child, foster family, service providers, and records were located in Colorado, which constituted substantial evidence to support the good cause findings.

The Court of Appeals rejects mother's argument that the juvenile court's order should be reversed because it failed to conduct an evidentiary hearing, noting that the BIA Guidelines do not require an evidentiary hearing but rather an opportunity to present views regarding good cause and that any argument regarding the right to an evidentiary hearing was waived by mother in juvenile court by not requesting an evidentiary hearing or

objecting to information argued by the Department or the GAL. Similarly, the Court rejects the argument that the court failed to articulate that its finding of good cause was based on clear and convincing evidence that the best interests of the child would be injured by a transfer, noting that that mother's counsel had referenced the case establishing that standard in juvenile court and that the juvenile court had specifically stated that it had reviewed that decision in making its determination.

The Court also rejects father's argument that the Department failed to make active efforts, citing its precedent establishing that while active efforts require more than reasonable efforts, the active efforts standard does not require futile efforts and that a court may properly consider a parent's unwillingness to participate in treatment in its active efforts determination. *See People in Interest of A.R.*, 2012 COA 195; *People in Interest of A.V.*, 2012 COA 210. In this case, the father's incarceration during most of the proceeding and failure to complete the mental health or substance abuse evaluations, the diligent searches performed by the Department to locate family members and initiation of multiple home studies on family members, and the caseworker's attempts to coordinate services with father's probation officers constituted sufficient evidence to support the juvenile court's finding that active efforts were made. ♦

Applause & Accolades!



"A 13-year old child of mine ... whom I communicate with regularly via email, told me that I was 'the best guardian enlighten ever.'"

- Sara Wynes, Seventh Judicial District

- ◆ **Hats off to Traci Streifer** who won a hard fought trial in Douglas County. The parents are engaged in a messy divorce and the very young children reported sexual abuse. The jury returned verdicts in favor of adjudication.
- ◆ **Cindy Dang**, former GAL in the 1st and 2nd judicial districts, has been appointed as a Magistrate in Adams County. Congratulations to Magistrate Dang! We wish her the best in her new endeavor and we are so proud to have another former GAL on the bench!

Please share your news with us! We love to hear about victories, challenges, or changes in your career. Email amandadonnelly@coloradochildrep.org with your news and updates, mail us a notice at 1300 Broadway Ste 320, Denver, 80203, or just give us a call at (303) 860-1517!



Colorado's 2013 Legislative Session saw 640 bills, resolutions, and memorials introduced, of which 440 measures were sent to the Governor. With 31 of the 100 lawmakers never having served before in the legislature, the session started out slowly. By February, several bills relating to social issues and gun control lead to long floor debates lasting to midnight, an unprecedented number of late evening committee hearings, and, during the last weeks of session, bills moving through the legislative process at record speed. Legislators debated civil unions, expansion of Medicaid eligibility, changes to spousal maintenance and child support guidelines, and child welfare system reforms. While some opine that the historic agenda of the General Assembly was a partisan effort, the reality is approximately 95% of the work done received bipartisan support. At right is a highlight of some of the bills that OCR monitored and lent expertise during the legislative debate.

2013 Legislative Summary

SB 230: Budget, Status: Effective July 1, 2013. The OCR requested and received continuation funding.

HRJ 1019: Juvenile Right to Counsel, Status: Awaiting Governor's signature. The joint resolution creates a 2013 interim committee to study the role of legal defense counsel in the juvenile justice system. The committee, which includes a staff member of the OCR, will study issues concerning juvenile justice, including: the scope of right to counsel, methods for improving professionalism in the practice of juvenile defense, and comparing the role of defense counsel with the role of the guardian *ad litem*.

HB 1082: Expunging Juvenile Delinquency Records, Status: Governor signed 5/17/12. Clarifies the initiation of expungement proceedings concerning juvenile records, including allowing the GAL to file a motion to expunge such records.

HB 1200 Uniform Deployed Parents Custody and Visitation Act, Status: Governor signed 5/1/13. This bill originated from the Colorado Commission on Uniform State Laws. The bill establishes procedures and standards for addressing custodial responsibility, care-taking, and decision-making authority during the deployment of a parent.

HB 1209 Child Support Revisions, Status: Governor signed 4/4/13. The bill revises the schedule of basic child support obligations, including the application of a minimum order formula for income below \$1,100 per month rather than the existing level of \$850/month. The bill revises the minimum child support amount and the formula for calculating the low-income adjustment, amends the definition of "gross income" and adds language regarding several components of the child support decision.

HB 1243 Court Orders for Parenting Time Findings of Fact, Status: Governor signed 4/18/13. The bill requires a court restricting parenting time based upon a finding that parenting time would endanger the child's physical health or significantly impair the child's physical health or significantly impair the child's emotional development to specify in

its order the specific findings supporting the restriction on parenting time.

HB 1254 Restorative Justice, Status: Governor signed 5/28/13. The bill creates a pilot project for restorative justice programs for juveniles in four judicial districts and requires a report on all existing programs be made to the legislature by January 31, 2014.

HB 1259 Civil Actions Protection Orders & Domestic Orders, Status: Governor signed 5/14/13. The bill amends several provisions of law relating to civil actions and orders in Titles 13 and 14, including adding rights of children with respect to the determination of parenting time, requiring certain procedures in actions where a claim of child abuse or neglect or domestic violence has been made to the court, and listing factors the court shall consider in determining whether to order a parenting time evaluation.

HB 1271 Child Abuse Reporting Hotline & Child Welfare Rules, Status: Governor signed 5/14/13. The bill authorizes the creation of a child abuse reporting hotline system as an "opt in" for counties. Currently, each of the 64 counties has its own telephone number(s) and after-hour process of receiving child abuse reports. The county department retains screening and assessment responsibilities. A Department of Human Services steering committee will develop an implementation plan and provide recommendations to the DHS Executive Director regarding the hotline.

H.B. 13-1104 Mental Health Professionals, Status: Effective August 7, 2013. Clarifies that persons who are otherwise exempt from licensure or registration laws regulating mental health professions but who provide mental health services, including candidates for licensure as psychologists, marriage & family therapist, or licensed professional counselors, are subject to:

- Restrictions on testifying in court without the client's consent; and
- Requirements to report child abuse/neglect.

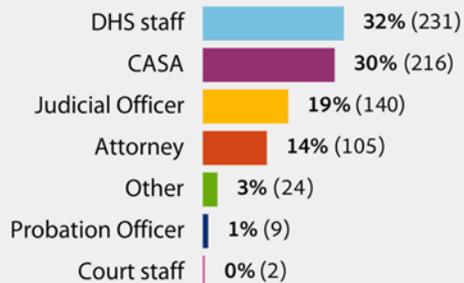
(Continued on page 6)

Stakeholder Surveys - the Results are in!

This year the OCR received 727 responses providing feedback on 191 Guardians *ad litem*. Responses were received from every judicial district and from stakeholders involved in each type of case (Dependency & Neglect, Delinquency, Probate, Domestic Relations, Paternity, Mental Health, Truancy, Adoption and Relinquishment).

The responses were overwhelmingly positive and emphasized the hard work you all do and your commitment to providing best interests representation. **The surveys were set on a 1 to 4 scale; 1 equals Strongly Disagree/Never and 4 being the highest rating (Strongly Agree / Always).** We've listed some of the highlights on this page!

Q1) Your role:



- This OCR attorney critically assesses the case plans and permanency plans presented by DHS. *Average response 3.36*
- This OCR attorney routinely participates in conferences, staffings, case plan meetings, and facilitated family meetings. *Average response 3.35*
- This OCR attorney routinely requests family service plans, relevant assessments, and other case records. *Average response 3.29*

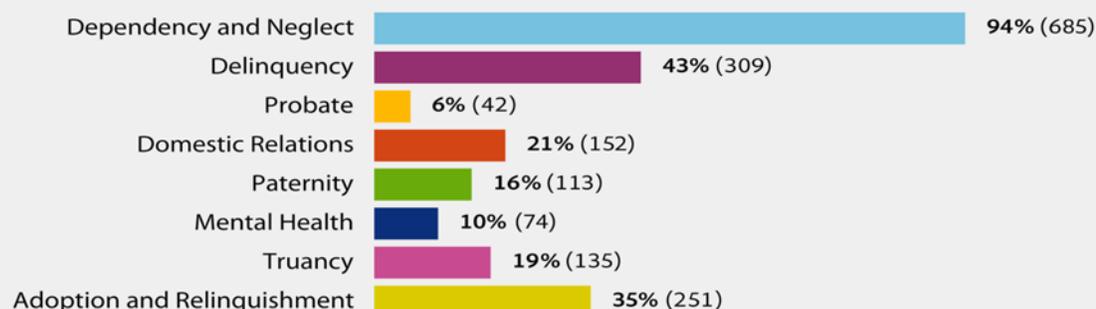
COURT ACTIVITY

- This OCR attorney, if s/he has substitute counsel, secures a qualified attorney who has sufficient knowledge of the issues and status of the case. *Average response 3.9*
- This OCR attorney attends all court hearings for the child unless excused by the judge. *Average response 3.78*
- In my observations of this OCR attorney, I am aware what his/her position is at each court hearing. *Average response 3.52*
- This OCR attorney provides accurate and current information directly to the court. *Average response 3.51*

- This OCR attorney informs the court of his or her contacts with the child. *Average response 3.49*
- This OCR attorney possesses the relevant skills to effectively advocate in court. *Average response 3.48*

(Individual reports will be provided to you via email shortly!) ♦

Q5) I'm involved with the following types of cases: [Select all that apply.]



YOUTH ENGAGEMENT

- This OCR attorney advises the court of the child's position. *Average response 3.43*
- This OCR attorney promotes developmentally appropriate participation of the child at case events. *Average response 3.37*
- In my observations of this OCR attorney, I am aware that s/he has considered the child's wishes when formulating his or her position. *Average response 3.37*
- This OCR attorney consults with the child in advance of each court hearing. *Average response 3.35*
- This OCR attorney has a good understanding of each child's individual strengths and needs. *Average response 3.32*
- This OCR attorney has a good rapport with the children on his or her cases. *Average response 3.31*

CONDUCTING AN INDEPENDENT INVESTIGATION

- This OCR attorney personally meets with the child in each of the child's placements. *Average response 3.55*
- This OCR attorney conducts an initial independent investigation to determine what is in the child's best interest. *Average response 3.47*

Billing as Counsel for a Child

[Chief Justice Directive 04-06, amended on March 19, 2013](#), expands OCR's authority to include paying attorneys to act as counsel for children in dependency and neglect cases.

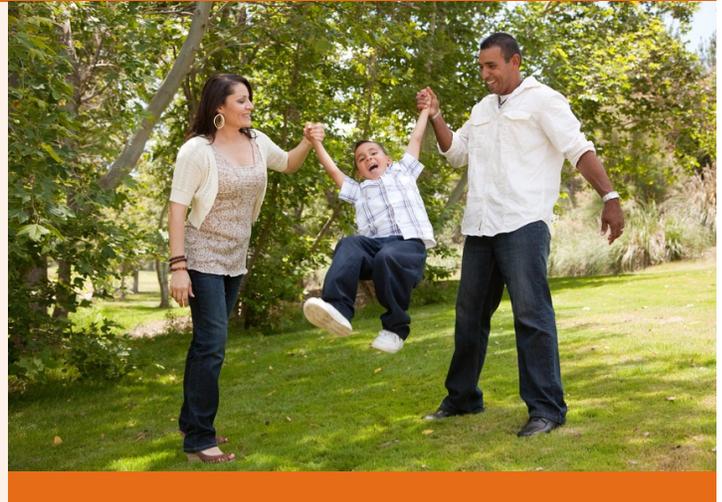
OCR has added a new capacity to CARES appointments to account for the role of counsel for a child in dependency and neglect proceedings. Only attorneys who are on the current D&N list are eligible to be appointed as counsel for children.

Billing Instructions for Counsel for Children in D&N Cases

- Search for the existing D&N case in the CARES system. If you have been appointed to advise the child about his/her privilege, the case should already exist in the system.
- Appoint yourself to the particular child choosing "Counsel for child in D&N" as your "capacity."
- Assign yourself to the case, choosing "Counsel for child in D&N" as your "assignment description."

You will be able to bill for multiple activities in this role. Please be sure to select the correct appointment and assignment types so that OCR will be able to quantify the amount of time and cost associated with this role.

OCR will offer training for attorneys serving as "Advisory Counsel" and will create a list of eligible attorneys in each district. ♦



Legislative Summary

[\(Continued from page 4\)](#)

SB 11: The Colorado Civil Union Act, Status: effective May 1, 2013. The bill allows two unmarried adults, regardless of gender, to enter in to a civil union. The bill makes changes to several Colorado statutes to ensure that members of a civil union receive certain rights, benefits, protections, duties, obligations, and responsibilities under law that are granted or imposed to spouses.

SB 012: Concerning Reporting of Suspected Child Abuse and Neglect by Youth Sports Organizations, Status: Governor signed 3/22/13. The bill adds directors, coaches, assistant coaches, and athletic program personnel for private sports programs or organizations to the list of mandatory reporters of child abuse or neglect.

SB 278: Child Welfare and Drug-endangered Child Definition, Status: Governor signed 5/28/13. The bill creates a definition of a "drug-endangered child" in the context of child abuse or neglect.

SB 03: Concerning In-State Classification at institutions of Higher Education, Status: Governor signed 4/29/13. Commonly known as ASSET, this bill requires an institution of higher education to classify a student as an in-state student for tuition purposes if the student has attended a Colorado high school for three years prior to graduation, graduates from a Colorado high school or receives a GED in Colorado, signs an affidavit that s/he has applied for citizenship, and is accepted to a Colorado

institution of higher education.

SB 047: Concerning Protections for Youth in Foster Care Against Identity Theft, Status: Governor signed 5/28/13. The bill revises CRS § 19-7-102 in order to comply with federal law by including youth in the custody of the division of youth corrections or a state mental hospital, expanding the age of youth entitled to a credit report check, and requiring the state or county department to obtain annual credit reports rather than a single report.

SB 220: Emergency Medical Providers to Report Child Abuse, Status: Governor signed 5/14/13 (Effective July 1, 2014). The bill adds emergency medical service providers, except for voluntary providers, to the list of persons who are required to report possible instances of child abuse or neglect.

SB 227: Protect Rape Victim from Contact with Father, Status: Governor signed 5/28/13 (Effective July 1, 2013). The bill amends Title 19, Article 5 by allowing a parent who is the victim of a sexual assault to file a petition in juvenile court to prevent future contact with the parent who committed the sexual assault and to terminate the parent-child legal relationship to a child who was conceived as a result of the act that led to the parent's conviction for sexual assault based on the conviction. The bill also creates a task force, of which OCR is a member, to study further protections for rape victims and parental rights issues in a case in which there is no conviction or prosecution. The bill also amends Title 18 to include advisement of the collateral consequences concerning parental rights to a child conceived as a result of the listed offenses.

[\(Continued on page 7\)](#)

Legislative Summary

(Continued from page 6)

SB 255: Statutory Changes to Child Fatality review Teams, Status: Governor signed 5/14/13.

The responsibilities of and reporting by child fatality review teams in both the Colorado Department of Public Health and Environment (CDPHE) and Department of Human Services (DHS) are clarified.

SB 231: Title IV-E Waiver Demonstration Project, Status: Governor signed 5/14/13.

The Department of Human Services (DHS) is authorized to create the Title IV-E Waiver Demonstration Project (Project) enabling counties to use federal dollars to test interventions that will best increase permanency, positive outcomes, safety and well-being of children and their families. The state board of human services is authorized to promulgate rules for the implementation of the project and is required to submit a report on the outcomes of the project. ♦



OCR Updates Associates Policy

The OCR Associates Policy is intended to support the use of associates in a manner that complies with the requirements of CJD 04-06 and promotes continuity in representation for children, available at: http://coloradochildrep.org/images/uploads/associates_policy.pdf



Financials: Year End Close reminders

CARES & BILLING:

OCR is working to integrate the items currently billed on the expense form into the CARES system. We plan to roll this enhancement out in August. Fiscal Year 13 is closed and OCR is no longer paying work done before July 1, 2013. In preparation for the expense transition, please remember this important information regarding expenses:

- 1) **Between the dates of July 1 and 22, you will not be able to bill for any expenses incurred dates of service 7/1/2013 forward.**
- 2) **Beginning July 22, a new expense form will be available on our website. OCR attorneys will bill all expenses incurred during the month of July ONLY on this new expense form. You will have until August 23 to submit these expenses.**
- 3) **Beginning August 26, the expenses will be integrated into the CARES system. Attorneys will bill all expenses incurred dates of service August 1 forward in the CARES system. OCR will begin processing payments for work done August 1 forward ONLY.**

***All work done for the month of July must be entered into CARES by Sunday August 18! OCR will process final payments for work done in July during the week of August 19-23. Beginning August 26, no payments for work done in July will be processed. ♦**

Financials: FY13 Budget Status

OCR is on track to spend its entire Court Appointed Counsel appropriation line this year. As of June 30th we have spent 99% of our spending authority. The amnesty in March was a success, resulting in \$238,200 payments in CARES and additional \$176,200 in expense reimbursement requests. The total amount paid in the amnesty period was \$414,400. ♦

Tips and Tricks: Using the CARES System

Substitution on Cases

Proper procedure for substituting counsel on an open case in CARES:

- ✓ Search for the case number in CARES. When you find the case, add your appointment and your assignment to the case. Do not create a new case.
- ✓ If you are the GAL coming off of the case, end your assignment and your appointment. Do not close the case; it needs to remain open for the GAL who is taking your place.



Office Users

The OCR is working to ensure that all active users in CARES are actually still using the system. If you have former employees who had a User ID please let Melanie know so she can deactivate them in the system. In the future, OCR will confirm that your current users are active before adding a new user to your office.

Need to create an appeals case in CARES before you have the Court of Appeals Case Number? Follow these steps:

- ✓ Create a new case in CARES. If you do not have the court of appeals case number, enter the case number as follows: "Appeal for 11JV123" (always enter "appeal for" followed by the district court case number).
- ✓ After you receive the court of appeals number, use the case profile screen to change the case number.
- ✓ Be sure to select "court of appeals" under the "district" tab, not the district for the district court case.

Disputed Items

Please remember to check your office billing history screen regularly for disputed items. Per the [OCR CARES Billing Manual](#), all disputed items must be addressed within 30 days of the date of activity in order to get paid for the activity. ♦



Training Alert!

NACC 36th National Child Welfare, Juvenile, & Family Law Conference | Aug 26th -28th, 2013, Atlanta, GA.
Click [here](#) for registration information and to view the conference agenda.

Juvenile Defense Conference | October 13-14, 2013 at CU Law School in Boulder, CO

You don't want to miss this exciting two day event: *Rising to the Challenge, Zealous Advocacy for Juveniles*, coordinated by CJDC, the Alternate Defense Counsel, and CU Law School. Registration information to come. *Presenters include:* Marsha Levick, Juvenile Law Center, Patricia Puritz, National Juvenile Defender Center, and Nicole Pittman, Raised on the Registry.

Annual Interdisciplinary Conference | October 4th, 2013 from 8:00- 4:00pm in Westminster, CO The COAFCC, BIPR, BIDC and MDIC present the 2013/14 Annual Interdisciplinary Conference on October 4th at the Doubletree Hilton Hotel in Westminster, CO. To register, please visit www.boulderidc.org! ♦



OCR SUMMER CONFERENCE 2013
*Case by Case: Bringing the Child to the
Forefront of Your Legal Advocacy*

SILVERTHORNE, CO | JULY 29-30, 2013





Training Resources!

Colorado Juvenile Case Law Update - 2012-2013 - Judge David Furman of the Colorado Court of Appeals has released a Juvenile Case Law Update, which is a survey of Colorado case law from 2012-2013. To access the document, please click [HERE](#).

Uninterrupted Scholars Act: Video Tutorial - ABA Center on Children and the Law attorney Kathleen McNaught explains how the US Act reduces delays to accessing school records for kids in foster care. Learn how the US Act amends federal education law to streamline parental consent issues when releasing school records for children in foster care. Watch the video [here!](#)

Formal Ethics Opinion 78 Disqualification of a Lawyer as a Witness, Colorado Bar Association Ethics Committee revised opinion released Feb. 20, 2013, available at: <http://www.cobar.org/repository/Ethics/FormalEthicsOpinion/FormalEthicsOpinion782011.pdf>

The Colorado Supreme Court, Colorado Judicial Ethics Advisory Board issued an advisory opinion addressing whether judicial involvement in the appointment of counsel for indigent respondent parents in dependency and neglect proceedings is consistent with

the Code of Judicial Conduct. The Board concluded, "As part of their administrative duties, judicial officers may ethically select the attorneys who are eligible for appointment as counsel for respondent parents in dependency and neglect proceedings and monitor appointed attorneys' performance, provided the exercise of those duties is impartial and based on merit."

<http://www.courts.state.co.us/userfiles/file/2013-02.pdf> (March 2013)

National Juvenile Defense Standards (Winter 2012), National Juvenile Defender Center, available at: <http://www.njdc.info/pdf/NationalJuvenileDefenseStandards2013.pdf> or contact NJDC at 202-452-0010.

The Economic Well-Being of Lesbian, Gay, and Bisexual Youth Transitioning Out of Foster Care, Amy Dworsky, Chapin Hall, University of Chicago. *Mathematica Policy Research Issue Brief*, January 2013.

http://www.mathematica-mpr.com/publications/pdfs/family_support/LGB_youth_trans_ib.pdf

Migration & Child Welfare National Network, The MCWNN is a coalition of individuals and organizations focused on the intersection of immigration and child welfare. It conducts and disseminates research, develops policy and practice rec-

ommendations, develops and disseminates resources, and works with federal, state, and local child welfare agencies to facilitate improvements. This is a free resource and includes many practical tools, including: practice tips, policy briefs, training material and articles, please visit:

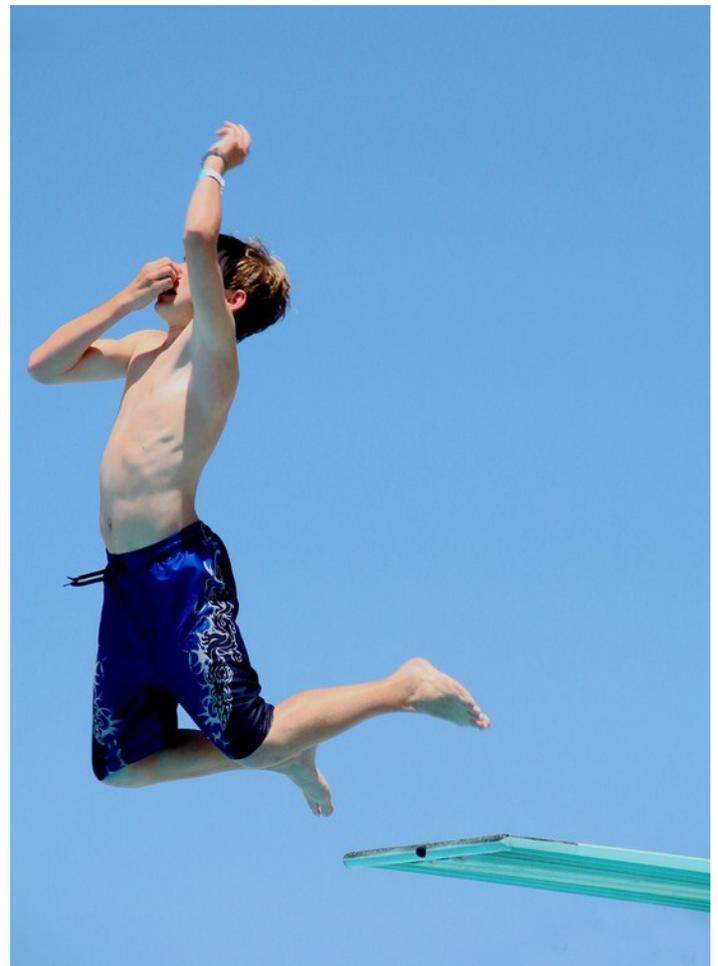
<http://research.jacsw.uic.edu/icwnn/>

Safe, Therapeutic & Appropriate Use of Residential Treatment - ASTART

The Alliance for the Safe, Therapeutic and Appropriate use of Residential Treatment (ASTART) is a community of professionals, family members and survivors working to protect children

from abuse and neglect in residential programs, and to ensure families have safe and effective community-based care. Visit the ASTART website [here](#) to view recommended reading and links, recent news articles, and read about warning signs, documented abuse, deceptive marketing and to find help for parents and teens.

Retired Judge Urges Lawyers to Keep Protecting Youth, the April 19 issue of the Pueblo Chieftain featured an article highlighting Judge Maes's presentation at the OCR Conference. Contact ashlee@coloradochildrep.org if you'd like to view the article. ♦





Archived Training Videos

You can obtain home study CLE credit for watching OCR Archived Training Videos!

OCR Domestic Relations Conference Recordings Now Available! Videos from the **OCR Domestic Relations Conference** are now available on-line. To

view these videos and more, visit <http://coloradochildrep.org/training/materials/>

“**Archived Webinars & Training Videos.**” You can download the conference materials, save powerpoint presentations, watch the conference sessions, and print your home study CLE form from this page.

To submit Home Study CLE Credit: view the training video(s); review presentation materials and handouts provided by presenter; print the corresponding home study CLE form located on the OCR's website; and complete a personalized affidavit from the Colorado Supreme Court Board of Continuing Legal and Judicial Education website. Submit both forms to the Board to obtain credit. Please click [here](#) to access the CLE website and print your personalized affidavit. ♦

*Welcome to our
summer interns
Holli Crane, from
the University of
Colorado Law School
& Paige Singleton
from Sturm College
of Law at the
University of Denver!*



MISSION STATEMENT

The mission of the Office of the Child's Representative (OCR) is to provide competent and effective legal representation to Colorado's children involved in the court system because they have been abused and neglected, impacted by high conflict parenting time disputes, or charged with delinquent acts and without a parent able to provide relevant information to the court or protect their best interests during the proceedings.

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