OCR ACTIVITIES, OPERATIONS & SUPPORTS

Linda Weinerman, Executive Director

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OCR Mission

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 available to protect their best interests during the proceedings. As a state agency, the OCR is accountable to the State of Colorado to achieve this mission in the most cost-efficient manner without compromising the integrity of services or the safety and well-being of children. The OCR is committed to ensuring that children whose interests are represented by its contract attorneys, Colorado's most vulnerable and marginalized population in the courts, receive the best legal services available to protect and promote their safety and well-being and have their voice heard throughout all aspects of a case.

OCR Legislative Mandates

OCR statutory obligations include:

- Provide oversight and improve quality of best interests attorney services and maintain consistency of best interests representation statewide.
- Establish minimum practice standards, duties and responsibilities for all attorneys representing children in judicial proceedings, including the investigation of maximum-caseload limitations for GALs.
- Provide litigation support to OCR attorneys.
- Establish minimum training requirements and accessible high-quality training statewide for attorneys, judges, magistrates and Court Appointed Special Advocates (CASA) volunteers.
- Establish fair and realistic compensation for state-appointed children's attorneys sufficient to retain high-quality, experience pediatric attorneys.
- Assess and document the effectiveness of various models of representation.
- Work with CASA to develop CASA offices in each county and enhance funding resources for CASA.

As set forth in C.R.S. § 13-91-101, *et seq*.

OCR Organizational Goals

1) The OCR will provide effective attorney services to children through skilled and qualified attorneys.
2) The OCR will establish efficiencies in attorney practice and billing.
3) The OCR will ensure attorneys remain current in state and federal law and regulations, social science research, and evidence-based services.

Oversight, quality & consistency

Contract Process

Ongoing Evaluation & Assessment of Attorney Services

Associates Policy

Complaints

Contracts & Renewals

- OCR attorneys are typically given 3-year contracts.
- New OCR attorneys will receive 1-, 2-, or 3-year contracts to synchronize with existing attorneys based on district and/or case type.
- Every year (usually in March), all OCR attorneys who have had any open cases during the current fiscal year must submit Attorney Verifications using a brief online form.
- When your contract ends, you may submit a Renewal Application to be evaluated for another 3-year contract.

Ongoing Evaluation & Assessment of Attorney Services

- **Annual Appraisal Process - Verifications**
  - ✓ Stakeholder Survey
  - ✓ Affidavit of Compliance with CJD 04-06
  - ✓ Verifications Form: disclose professional disciplinary history, and verify fulfillment of OCR training requirements, malpractice insurance requirements, and, if a CFI, good standing on the statewide CFI list.
- **Tri-Annual Extensive Contract Application Process – Renewal Application**
  - ✓ Interviews of children/youth, parents, and caregivers; structured court observations; submission of a writing sample; expanded stakeholder feedback; selected reports from C.A.R.E.S.; and district and individual attorney meetings

Contractor Profile Screen

OCR Attorneys Database : Database (Access 2007 - 2010) - Microsoft Access

File | Home | Create | External Data | Database Tools

Main Menu | frmNavByLists | frmNavByIndividuals

ARN	FullName
11111	Jones, Test
12345	McTest, Test E.
22222	Smith, Test

Name Search | Filter Attys at Left: Show ALL Attys | Show ACTIVE Attys (default)

PROFILE | AVAILABILITIES | NOTES | CONTRACTS | APPLICATIONS | COMPLAINTS | Add New Individual

Profile Selected: McTest, Test E.

PROFILE UPDATED	7/13/2015
ATTY REG. # *	12345
CURRENT CONTRACT	FY16 2-year term contract
NEXT EVALUATION	2017

Name

Prefix	
First Name	Test
Middle Name	E.
Last Name	McTest
Suffix	
Name will be displayed *	Test E. McTest

Case Type Categories:

- Delinquency
- Dependency and Neglect

Miscellaneous

Spanish speaking? *	Limited Spanish
Quick Reference Note: (temporary, admin only)	Moved 6/15

Office

Job Title	Database Administrator
Organization	Office of the Child's Representative
How display title/org on lists?	Do not display

Contact

Address Line 1 *	1300 Broadway
Address Line 2 *	Ste 320
City *	Denver
State *	CO
ZIP Code *	80203
Email *	info@coloradochildrep.org
Work Phone *	303-860-1517
Mobile Phone	555-555-5555
Alternate Phone	
Fax *	303-860-1735

** if not blank, always appears on printed JD lists*

Enter Admin Password | Log in as admin to enable editing

Record: 2 of 3 | No Filter | Search

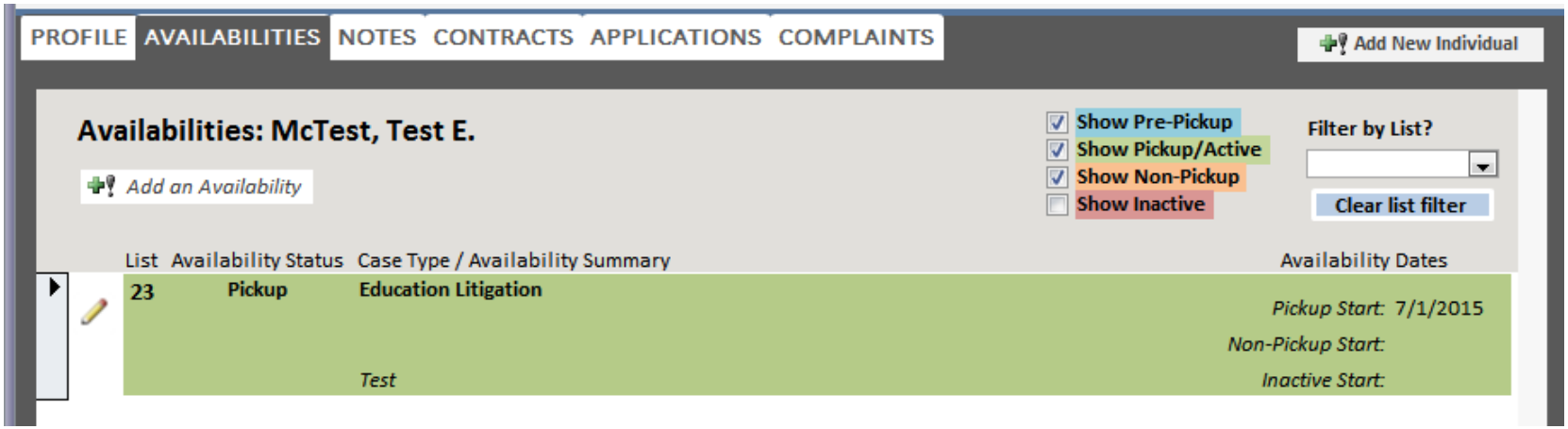
Form View | Num Lock

The Profile displays name, email, and business contact information for the contractor selected. Updates made here apply throughout the database—no duplicate data entry is required or allowed.

This information populates Appointment Eligibility Lists published to the courts and other systems, such as Outlook contacts.

Availabilities Tab

- Availabilities are to contractors like classes are to students—this is how the database organizes contractor work (case types, districts).
- Availabilities populate automatic Appointment Eligibility Lists published to the courts (formatted PDFs of all contractors and case types in a district), as well as various in-house systems such as Outlook email contact cards.
- Availabilities have **start** and **end** dates. Contractors and their Availabilities aren't ever deleted from the system. This facilitates institutional memory and organizational history.



Contracts, Applications, and Complaints Tabs

Additional tabs provide information about the contractor selected.

- **Contracts**

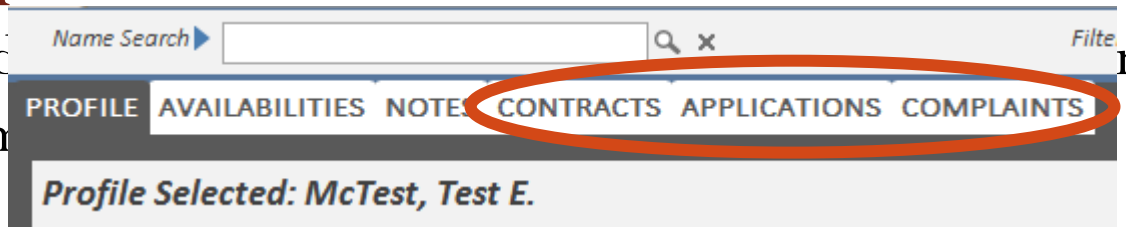
  Provides a contract history with start and end dates

- **Applications**

  Provides a record of Applications due and submitted

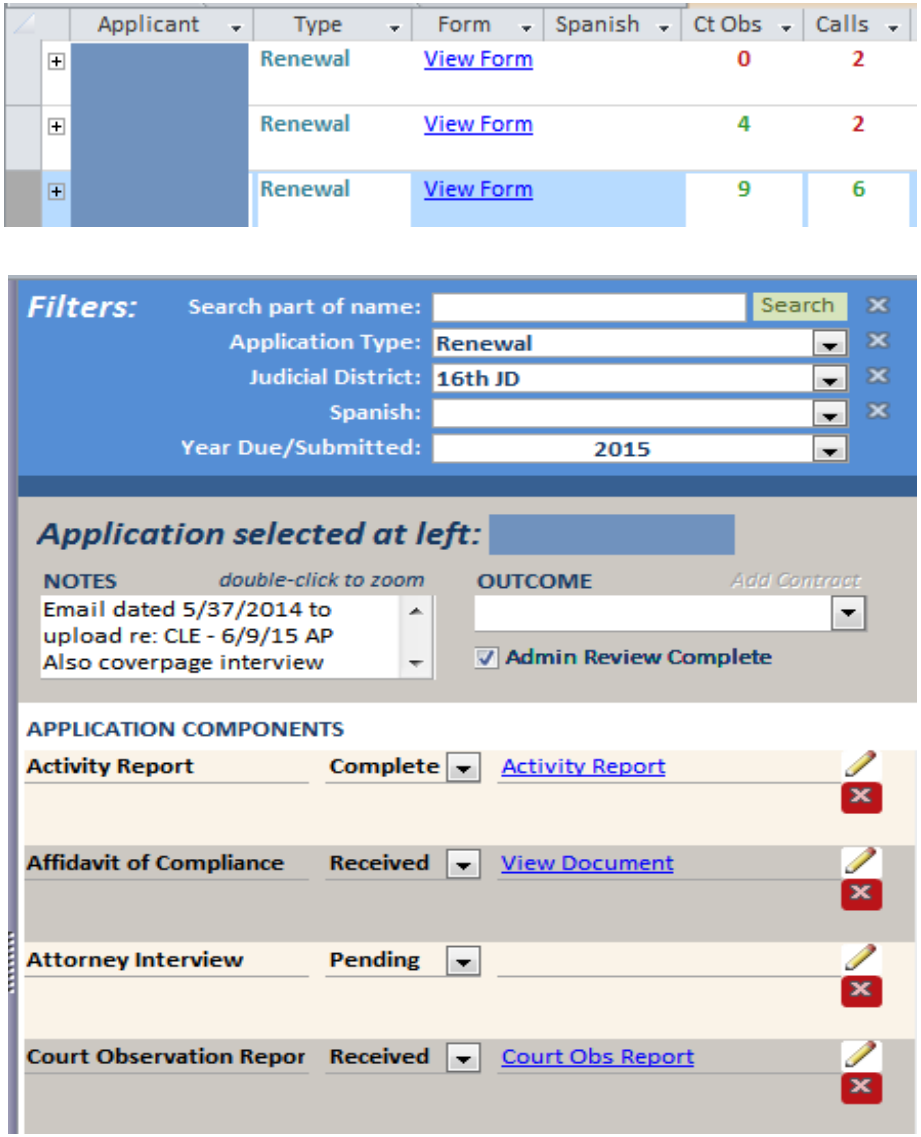
- **Complaints**

  Provi ncluding inform



Manage Applications Screen

- Staff attorneys can navigate among hundreds of applications received annually online.
  - Renewal Application Forms
  - Attorney Verifications Forms
  - New Applicant Forms
  - Change of Status Request Forms
- Central hub for thousands of components submitted online.
  - Application forms
  - Resumes
  - Verifications materials (insurance, affidavit of compliance, trainings)
  - Renewal materials (writing sample, interview notes)
  - Reports (court observations, stakeholder feedback, reference interviews, CARES data)



Renewal Evaluation Considerations

OCR considers the following during the renewal evaluation process:

- ✓ Attorney's application information, including writing sample and interview of references
- ✓ Disciplinary history, exceptions to affidavit of compliance
- ✓ Stakeholder feedback
- ✓ Interview with attorney
- ✓ Select reports on attorney activity from CARES
- ✓ Review of OCR court observations
- ✓ The number of attorneys needed to accommodate the judicial district's needs

Colorado Office of the Child's Representative
Court Observation Form

OBSERVER		OBSERVATION DATE
CASE NUMBER	JUDICIAL DISTRICT	HEARING TYPE
JUDICIAL OFFICER		Contested hearing? ○ Yes ○ No
	○ Yes ○ No *(if "no," see next question) -->*	
GAL OF RECORD	Did GAL of record appear? ○ No ○ Yes *(if "yes," see next question) -->*	If GAL of record did not appear, enter name of GAL who appeared.
Attorney Registration Number (GAL of Record)	Was information from a therapist shared?	If yes, by who?

PARTIES PRESENT: ☐ CA ☐ CW ☐ RF ☐ RFC ☐ RM ☐ RMC ☐ CASA ☐ Other

Issues Presented & Notes: *(1,200 character limit, approx. 175 words)*

See Page 2 for children affiliated with this case →

Children affiliated with this case:

	Child 1 x	Child 2 x	Child 3 x	Child 4 x	Child 5 x
Name	Entries in this column will not be captured unless a name is entered here.	Entries in this column will not be captured unless a name is entered here.	Entries in this column will not be captured unless a name is entered here.	Entries in this column will not be captured unless a name is entered here.	Entries in this column will not be captured unless a name is entered here.
DOB					
Q1) Child present? *(incl. any electronic means)*	Yes No Child under 5 years old	Yes No Child under 5 years old	Yes No Child under 5 years old	Yes No Child under 5 years old	Yes No Child under 5 years old
Q2) Was this child given the chance to address the Court?	Yes No Child under 5 years old	Yes No Child under 5 years old	Yes No Child under 5 years old	Yes No Child under 5 years old	Yes No Child under 5 years old
Q3) Did GAL address efforts to get child to attend?	Yes No Child present or under 5yo	Yes No Child present or under 5yo	Yes No Child present or under 5yo	Yes No Child present or under 5yo	Yes No Child present or under 5yo
Q4) Did GAL provide current, independent info about this child?	Yes No	Yes No	Yes No	Yes No	Yes No
Sources / types of information from Q4					
Q5) Did GAL state last contact with child?	Yes No Child present	Yes No Child present	Yes No Child present	Yes No Child present	Yes No Child present
Q6) Did GAL clearly state a position?	Yes No	Yes No	Yes No	Yes No	Yes No
Position stated from Q6					
Q7) Did GAL state child's position?	Yes No Child under 5 years old	Yes No Child under 5 years old	Yes No Child under 5 years old	Yes No Child under 5 years old	Yes No Child under 5 years old
Child's position from Q7					

☐ Is this a duplicate form with corrections?

Before clicking "Submit," temporarily change document name to CourtObservationForm.pdf

Colorado Office of the Child's Representative

Court Observation Form: GAL in JD

OBSERVER		OBSERVATION DATE
CASE NUMBER(S)	JUDICIAL DISTRICT	JUDICIAL OFFICER
HEARING TYPE	OUTCOME	
		◯ Victim ◯ Juvenile
GAL OF RECORD	ATTY. REG. # (GAL of Record)	GAL FOR

◯ Yes ◯ No *(if "No," see next question) -->*

Did GAL of record appear?	If GAL of record did not appear, enter name of GAL who appeared.
JUVENILE'S NAME	JUVENILE'S DATE OF BIRTH

JUVENILE'S PLACEMENT:
- ◯ Detention
- ◯ Out of Home Placement
- ◯ Home
- ◯ Other: _____

JUVENILE SHACKLED?
- ◯ Yes
- ◯ No

JUVENILE REPRESENTED BY:
- ◯ ADC
- ◯ PD
- ◯ Private
- ◯ None *(if "None," see next question) -->*

If no Counsel for the child, did GAL request / address Counsel for the child?
- ◯ Yes
- ◯ No

PARTIES PRESENT

☐ Defense Counsel	☐ Parent	☐ Pre-Trial Services
☐ D.A.	☐ Caregiver	☐ CASA
☐ Department Personnel	☐ Probation	☐ Other: _____

Notes:

Q1) Did GAL address the Court? ◯ Yes ◯ No

Q2) Did GAL provide independent information?

◯ No

◯ Yes --> Sources of information: _____

Q3) Types of Information:

- ☐ Competency
- ☐ JV understands proceedings
- ☐ Education
- ☐ Related cases
- ☐ Placement
  - ☐ Current
  - ☐ Potential
  - ☐ Least Restrictive
- ☐ Availability of Relatives
- ☐ Treatment
- ☐ Services
- ☐ Sentencing
- ☐ Concerns with counsel
- ☐ Due process rights
- ☐ Collateral consequences

Q4) Additional Observations:

- ☐ Facts of case (GAL shared facts of case)
- ☐ Detention / Commitment for Accountability
- ☐ DYC for Services
- ☐ Role Confusion (GAL acting as defense counsel)
- ☐ Violating Juvenile's 5th Amend rights
- ☐ GAL's Appointment Addressed? (continued post sentencing /ended /other)

Q5) Additional Observations:

Court Observation Results – FY14-15

Key Measures Number of Court Observations		FY12-13 N = 287	FY13-14 N = 426	FY14-15 N = 366
Average number of court observations per attorney under evaluation	Target	3	3	3
	Actual	4.5	3.7	3.24
Appointed attorney appeared	Target	Est. baseline	90%	92%
	Actual	91%	94.6%	89.9%
Attorney provided current, independent information	Target	Est. baseline	70%	75%
	Actual	64%	81%	81.1%
Clearly stated a position	Target	Est. baseline	85%	87%
	Actual	82%	91%	90.9%
Attorney stated child's position	Target	Est. baseline	30%	40%
	Actual	24%	43.75%	51.23%

Reference Interviews

- ✓ Frequency and type of contact (in person, text, phone, etc.)
- ✓ What kids of things do you talk about?
- ✓ Does your GAL ask you about the people who are important to you?
- ✓ Do you talk about your future plans?
- ✓ Do you feel like your GAL knows you well enough to advocate for your best interests?
- ✓ What would you like your GAL to do to get to know you better?
- ✓ Does your GAL talk to you about what you want to happen in your case (D&N only)
- ✓ Have you attended court / Does your GAL talk to you about attending court
- ✓ Do you trust your GAL?

Stakeholder Survey Results

Goal 1: The OCR will provide effective attorney services to children through skilled and qualified attorneys.

Key Measures Strongly Agree/Agree		FY11-12 N = 215 Attorneys	FY12-13 N = 191 Attorneys	FY13-14 N = 227 Attorneys	FY14-15 N = 221 Attorneys
Attorney possesses relevant advocacy skills	Target	Establish baseline	86%	89%	90%
	Actual	86%	91%	90%	92%
Attorney possesses requisite knowledge	Target	Establish baseline	84%	87%	90%
	Actual	84%	90%	90%	93%
Attorney familiar with community services	Target	Establish baseline	84%	87%	90%
	Actual	84%	89%	90%	91%
Attorney attends all court hearings	Target	Establish baseline	91%	93%	93%
	Actual	91%	93%	94%	95%
Attorney critically assesses department case & permanency plans	Target	Establish baseline	72%	75%	80%
	Actual	72%	90%	83%	83%
GAL is respectful of others involved in the case	Target	Establish baseline	82%	85%	85%
	Actual	82%	87%	88%	85%

CARES REPORTS

Initial Visit

Child Present at Hearing

Inactive Cases

Activity Billed per Day

Activity in Timeframe

Case List | Notifications | Activity Log | Search | System Management | Billing | Reports | Financial

Visit CJD Initial Visit:

Start Date: 12/11/2014

End Date: 6/11/2015

Days: 31

Select Office: All

Select Court: All

Go | Export To Excel

Version: 5/28/2015 : 3:53 PM OCR Colorado CARES: Production...

Case List | Notifications | Activity Log | Search | System Management | Billing | Reports | Financial

Visit CJD Initial Visit:

Start Date: 12/11/2014

End Date: 6/11/2015

Days: 31

Select Office: El Paso County GAL

Select Attorney: All

Go | Export To Excel

Office Name	Case #	Child Name	User Name	Court (District and County)	Date of Appointment	Date Off	Visit
El Paso County GAL Office				04 - El Paso	3/11/2015		A H
El Paso County GAL Office				04 - El Paso	3/11/2015		A H
El Paso County GAL Office				04 - El Paso	3/11/2015		A H
El Paso County GAL Office				04 - El Paso	3/11/2015		A H
El Paso County GAL Office				04 - El Paso	3/9/2015		
El Paso County GAL Office				04 - El Paso	3/9/2015		
El Paso County GAL Office				04 - El Paso	3/9/2015		

Version: 5/28/2015 : 3:53 PM OCR Colorado CARES: Production...

Case List | Notifications | Activity Log | Search | System Management | Billing | Reports | Financial

Visit CJD Initial Visit:

Start Date: 12/11/2014

End Date: 6/11/2015

Days: 31

Select Office: All

Select Court: All

Go | Export To Excel

Version: 5/28/2015 : 3:53 PM OCR Colorado CARES: Production...

Case List | Notifications | Activity Log | Search | System Management | Billing | Reports | Financial

Visit CJD Initial Visit:

Start Date: 12/11/2014

End Date: 6/11/2015

Days: 31

Select Office: El Paso County GAL

Select Attorney: All

Go | Export To Excel

User Name	Court (District and County)	Date of Appointment	Date Off	Visit Type	Date of Visit	Days
	04 - El Paso	3/11/2015		Additional Visit - Home/Placement	5/20/2015	70
nez	04 - El Paso	3/11/2015		Additional Visit - Home/Placement	5/20/2015	70
om	04 - El Paso	3/11/2015		Additional Visit - Home/Placement	5/20/2015	70
nez	04 - El Paso	3/11/2015		Additional Visit - Home/Placement	5/20/2015	70
ohr	04 - El Paso	3/9/2015				94
loh	04 - El Paso	3/9/2015				94
ohr	04 - El Paso	3/9/2015				94

Version: 5/28/2015 : 3:53 PM OCR Colorado CARES: Production...

Case List | Notifications | Activity Log | Search | System Management | Billing | Reports | Financial

Child Present at Hearing Report

Start Date: 12/11/2014

End Date: 6/11/2015

Age Range (years): 0 to 21

Office: SELECT

Court: SELECT

Hearing Type: SELECT

User: SELECT

Offices: All

Courts: All

Types: All

Users: All

Go

Version: 5/28/2015 : 3:53 PM OCR Colorado CARES: Production...

Case List | Notifications | Activity Log | Search | System Management | Billing | Reports | Financial

Child Present at Hearing Report

Start Date: 12/11/2014

End Date: 6/11/2015

Age Range (years): 0 to 21

Office: SAVE

Court: SELECT

Hearing Type: SAVE

User: SELECT

All	☐	Adjudication/Disposition	☐	Adoption Hearing	☐
Allocation of Parental Rights Hearing	☐	Benchmark Hearing	☐	Child interviewed by court	☐
Contested Placement Hearing	☐	Contested Treatment Plan Hearing	☐	Disposition Hearing	☐
Motions Hearing	☐	Permanency Planning Hearing	☐	Post-termination Hearing	☐
Relinquishment	☐	Review Hearing	☐		

Offices: All

Courts: All

Types: All

Users: All

Go

Version: 5/28/2015 : 3:53 PM OCR Colorado CARES: Production...

Case List | Notifications | Activity Log | Search | System Management | Billing | Reports | Financial

Child Present at Hearing Report

Start Date: 12/11/2014

End Date: 6/11/2015

Age Range (years): 0 to 21

Office: SELECT Court: SELECT Hearing Type: SELECT User: SELECT

Offices: El Paso County GAL Office

Courts: All

Types: Permanency Planning Hearing,Permanency Planning Hearing

Users: All

Go Export to Excel

Case	Type	Office	User	Child	Court	Hearing Date	Present	DOB	Age
04JV1968	Permanency Planning Hearing	El Paso County GAL Office			04 - El Paso	1/20/2015 12:00:00 AM	0	8/6/1994 12:00:00 AM	20
08JV1700	Permanency Planning Hearing	El Paso County GAL Office			04 - El Paso	2/24/2015 12:00:00 AM	0	9/21/2001 12:00:00 AM	13
08JV1965	Permanency Planning Hearing	El Paso County GAL Office			04 - El Paso	2/23/2015 12:00:00 AM	0	1/25/2000 12:00:00 AM	15
09JV1135	Permanency Planning Hearing	El Paso County GAL Office			04 - El Paso	1/14/2015 12:00:00 AM	1	10/13/1996 12:00:00 AM	18
09JV1233	Permanency Planning Hearing	El Paso County GAL Office			04 - El Paso	12/11/2014 12:00:00 AM	0	10/16/2003 12:00:00 AM	11
	Permanency								

Case List | Notifications | Activity Log | Search | System Management | Billing | Reports | Financial

Inactive Cases

Previous Months 6

Select Office All

Go | Export To Excel

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Case List | Notifications | Activity Log | Search | System Management | Billing | Reports | Financial

Inactive Cases

Previous Months 6

Select Office El Paso County GAL

Select Individual All

Go | Export To Excel

Case #	Most Recent Activity	Days	Name	Office Name	Court
	12/09/2014	184		El Paso County GAL Office	04 - El Paso
	07/02/2014	344		El Paso County GAL Office	04 - El Paso
	11/06/2014	217		El Paso County GAL Office	04 - El Paso

Version: 5/28/2015 : 3:53 PM OCR Colorado CARES: Production

Case List | Notifications | Activity Log | Search | System Management | Billing | Reports | Financial

Hours Billed Per Day:

Start Date: 12/11/2014

End Date: 6/11/2015

Limit Hours: 12

Select Office: All

Go | Export To Excel

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Case List | Notifications | Activity Log | Search | System Management | Billing | Reports | Financial

Hours Billed Per Day:

Start Date: 12/11/2014

End Date: 6/11/2015

Limit Hours: 12

Select Office: El Paso County GAL

Select User: All

Go | Export To Excel

Billed Hours	Date	Name	Office Name	Billing Rate
14.25	12/29/2014		El Paso County GAL Office	6
14.10	12/18/2014		El Paso County GAL Office	2
16.10	12/17/2014		El Paso County GAL Office	6
13.87	12/16/2014		El Paso County GAL Office	2
17.80	12/16/2014		El Paso County GAL Office	2
19.00	12/11/2014		El Paso County GAL Office	2
14.60	06/04/2015		El Paso County GAL Office	2
12.50	05/22/2015		El Paso County GAL Office	6
12.00	05/20/2015		El Paso County GAL Office	2
14.15	05/19/2015		El Paso County GAL Office	6
15.50	04/16/2015		El Paso County GAL Office	2
13.20	04/01/2015		El Paso County GAL Office	2
14.00	03/31/2015	Carol Wassch	El Paso County GAL Office	2

Version: 5/28/2015 : 3:53 PM OCR Colorado CARES: Production...

Case List | Notifications | Activity Log | Search | System Management | Billing | Reports | Financial

Activity During Timeframe Report

Appointment Start Date: 9/28/2014 to 3/28/2015

Activity Date Range (days): 1 to 45

Office: SELECT Court: SELECT Case Type: SELECT

Offices: All

Courts: All

Types: All

Go

Case List | Notifications | Activity Log | Search | System Management | Billing | Reports | Financial

Activity During Timeframe Report

Appointment Start Date: 9/28/2014 to 3/28/2015

Activity Date Range (days): 1 to 45

Office: SELECT Court: SELECT Case Type: SAVE

All	☐	Adoption	☐	Appeal	☐
Criminal - Direct Files	☐	Criminal - Victim/Witness	☐	D&N - EPP	☐
D&N - Non EPP	☐	D&N - PRNP - Review of Need of Placement	☐	D&N - Specialized Court	☐
D&N - URM	☐	Delinquency	☐	Domestic Relations- Child Family Investigator (CFI)	☐
Domestic Relations- Child Legal Representative (CLR)	☐	Domestic Relations- GAL for minor parent	☐	JD Victim Witness	☐
Mental Health	☐	Paternity/Support	☐	Probate- Conservatorship	☐
Probate- Guardianship	☐	Probate- Other	☐	Probate- Personal Injury Settlement	☐
Relinquishment	☐	Truancy	☐		

Offices: El Paso County GAL Office

Courts: All

Types: All

Go

Activity Date Range (days): 1 to 45

Office: SELECT Court: SELECT Case Type: SELECT

Offices: El Paso County GAL Office

Courts: All

Types: D&N - EPP,D&N - Non EPP

Go Create PDF

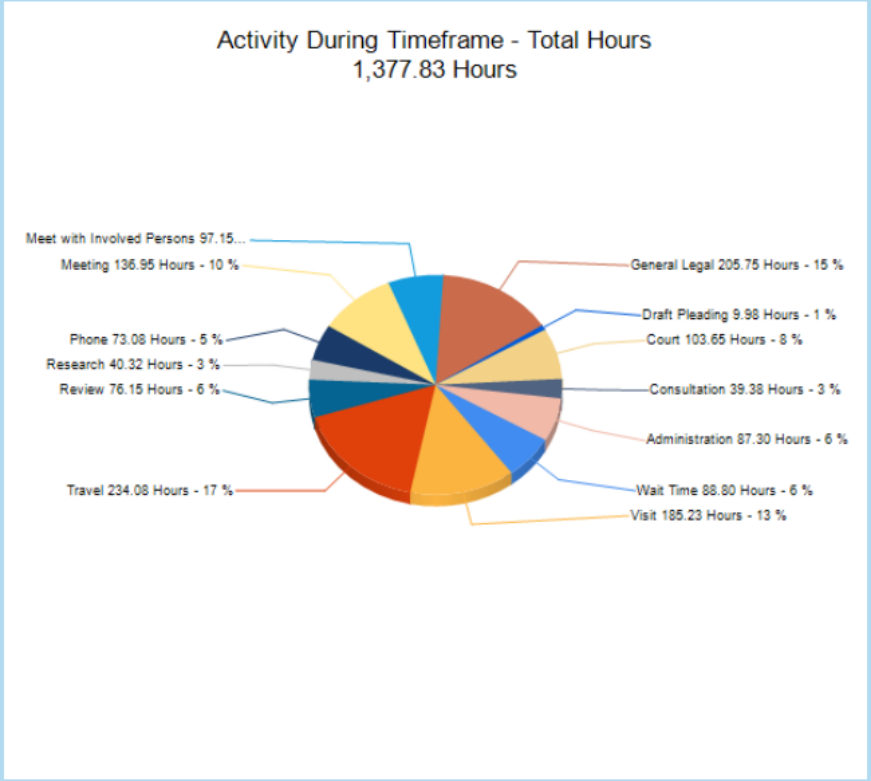
Total Appointments: 139

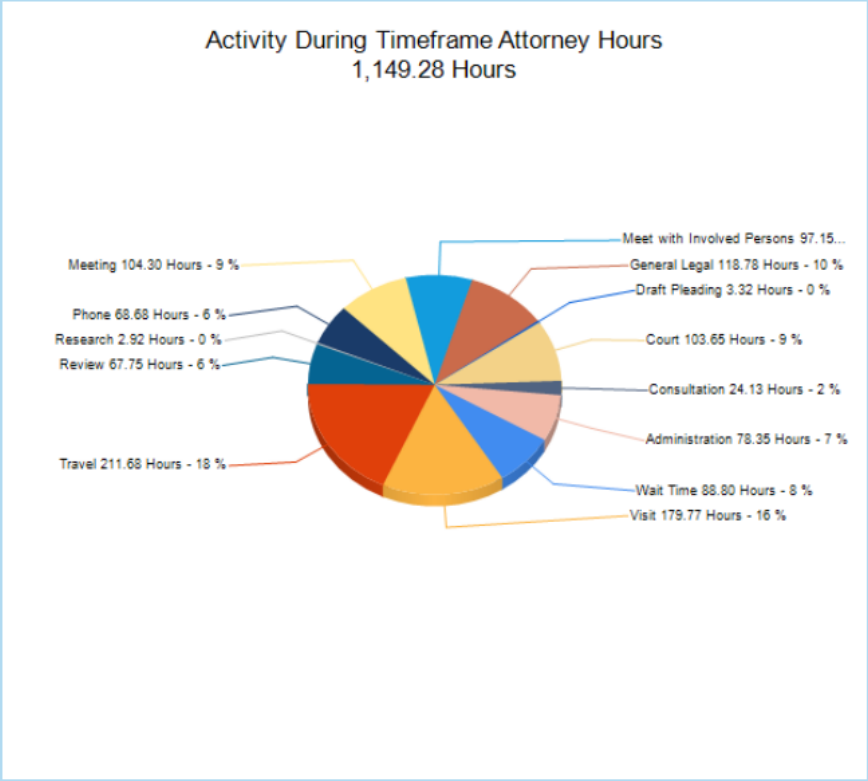
Avg cost per Appt: $646.12

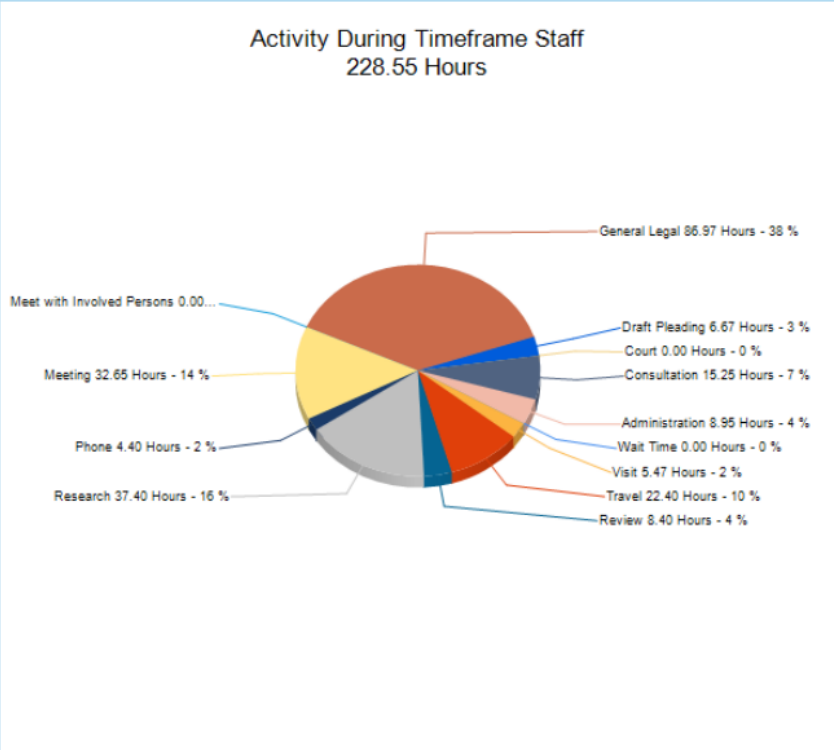
Avg hours per Appt: 9.91

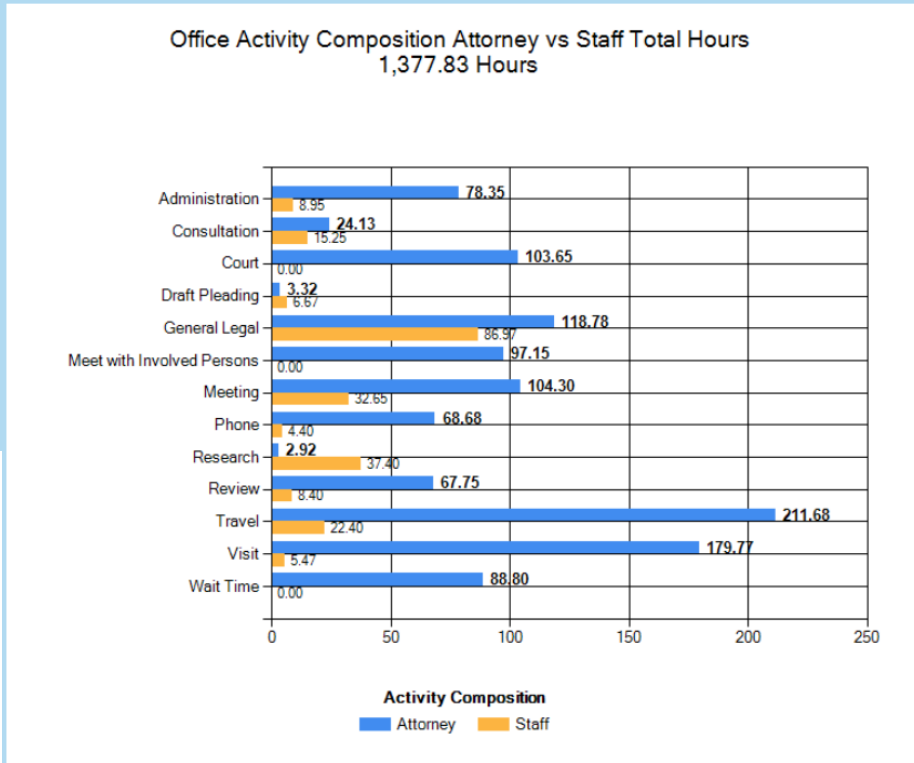
Median cost per Appt: $538.50

Median hours per Appt: 8.50









Case Number

15JV070

14JV1667

15JV314

15JV462

14JV1745

Activity Duration Report

Combines CARES Activities into broader categories:

- ✓ Contact with Child
- ✓ Legal Investigation
- ✓ Legal Activity
- ✓ Consultation
- ✓ Travel
- ✓ Administrative

State

District

Individual Office

Activity Duration Report: July - March FY15 CARES Data

Office: [redacted]

District: 8

If individual has more than one office, you can find all office reports in P:\Applications\FY 2016\Activity Reports\Reports by Office.

Change of Status Request

- Change of Status Request Form
  - Name / Firm / Email / Contact info changes
  - Request to change case types
  - Modify the districts in which you take cases
  - Add a non-case-carrying associate
- Change pick-up status
  - ***Pickup Attorney:*** *An attorney who is currently available to accept new OCR cases in a certain district.*
  - ***Non-pickup Attorney:*** *An attorney who is not currently available to accept new OCR cases in a certain district, but still has open OCR cases.*
- Form posted at: http://www.coloradochildrep.org/attorney-center/applications/

Oversight, Quality & Consistency: Associates Policy

Use of Associates on Out-of-Court Tasks:

- The use of associates, paralegals, social work professionals who assist attorneys under an OCR contract with out-of-court tasks that are not personally assigned to the GALs under CJD 04-06 (e.g., attend staffings, conduct supplemental home visits) or the court's orders (e.g., acting as educational surrogate)
- Must enhance rather than hinder the attorney's personal knowledge of the case & continuity of representation for children/youth
- Use of associates in out-of-court tasks do not need specific OCR approval or a contract with the OCR.
- Each associate needs an individual CARES user ID and must log his or her work separately

Oversight, Quality & Consistency: Associates Policy

Use of Associates in Court:

- CJD 04-06 provides that "*in exceptional circumstances, another qualified attorney who has sufficient knowledge of the issues and status of the case may substitute for some hearings, with permission of the court.*"
- OCR attorneys on the district pickup list for that case type are qualified to substitute.
- An OCR attorney can apply to OCR for a member of their firm to appear as substitute counsel
- The OCR attorney must identify on their application the associate the attorney intends to use and the associate's qualifications.

Oversight, Quality & Consistency: Associates Policy

Use of Associates in Court:

- If an associate is determined by the OCR to be qualified, the attorney's contract will specifically identify the name of that associate and contain assurances by the attorney that the associate:
  1) Appears in court only under the limited circumstances set forth in CJD 04-06
  2) Is appropriately briefed on the matters to be addressed by the court and prepared to state the child's position on the matters before the court
  3) Will continue to receive necessary training on matters relevant to the representation of children (10 hours per CLE reporting period, as required by CJD 04-06).
- Attorneys who wish to use associates in this capacity mid contracting cycle will fill out an associates application form and receive an addendum to their contract. The OCR will not have a separate contract with such associates.

Oversight, Quality & Consistency: Complaint Process

Investigation Process:

- **Contact Parties**
  - Contact Complaining Party to explain process
  - Contact Attorney
  - Contact all collaterals identified by both the complainant and the attorney
- **Review Relevant Materials**
  - Court Record of Actions
  - Attorney Billing Records
  - Investigate other information pertinent to the issue raised in the complaint

Oversight, Quality & Consistency: Complaint Process

OCR Looks For Compliance With:

- Supreme Court Directives
- Rules of Professional Conduct
- OCR Professionalism & Practice Standards

OCR Does NOT:

- Review individual assessments, decisions, or recommendations made by a GAL, CFI, or CLR
- Substitute the Attorney's judgment or second guess the Attorney's recommendation

Oversight, Quality & Consistency: Complaint Resolution

- OCR determines whether a formal meeting with the complainant and the GAL/CFI/CLR is necessary or whether a decision can be made based on the information presented
- Attorney is notified of concerns regarding complaint allegations and is given an opportunity to respond or submit additional information
- Written resolution is sent to the complainant and the attorney

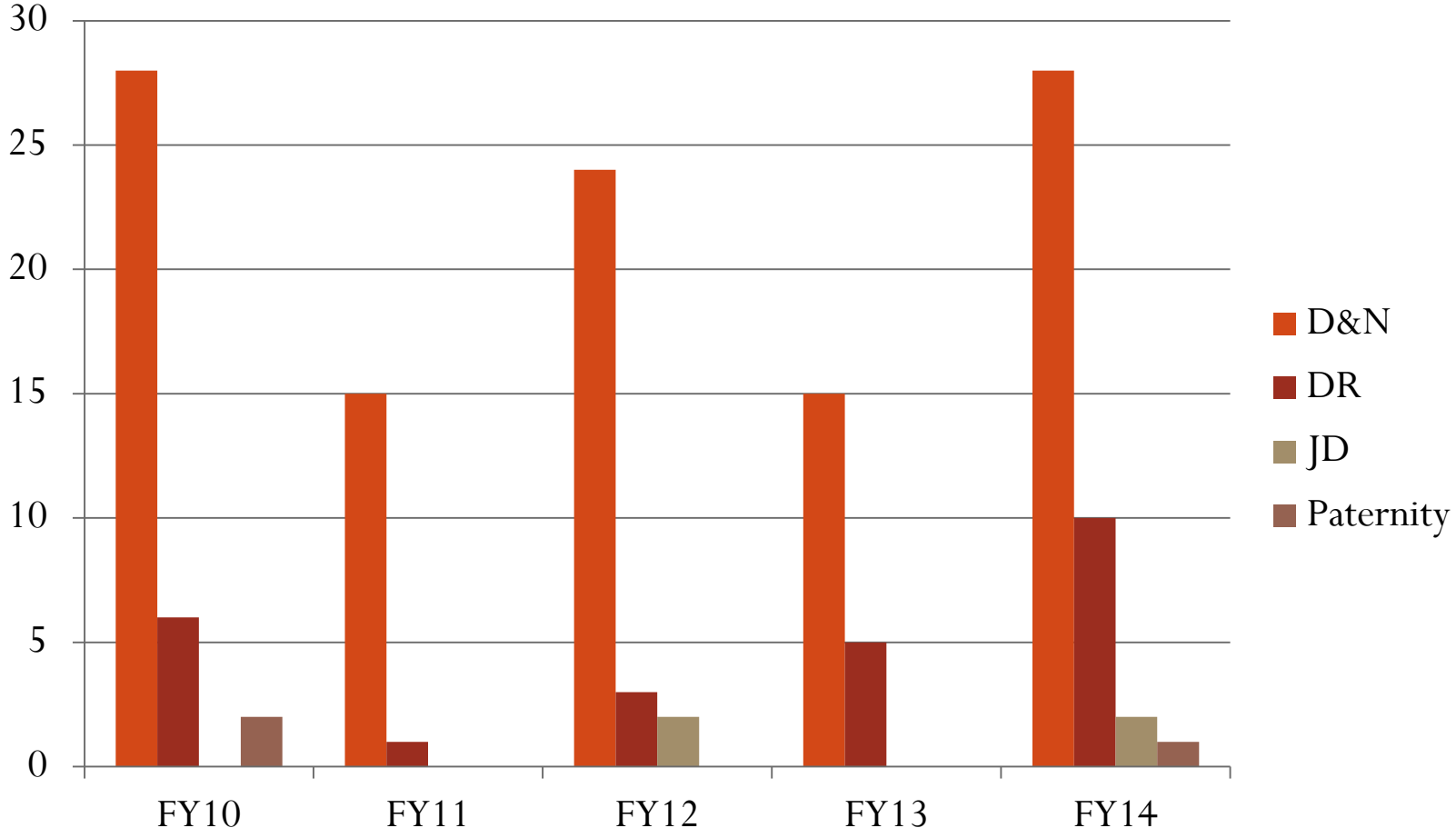
Oversight, Quality & Consistency: Founded Complaints

- **Case Audit**

  Founded complaints typically result in a review of the attorney's cases to determine if the behavior was an anomaly in practice or part of a pattern of conduct

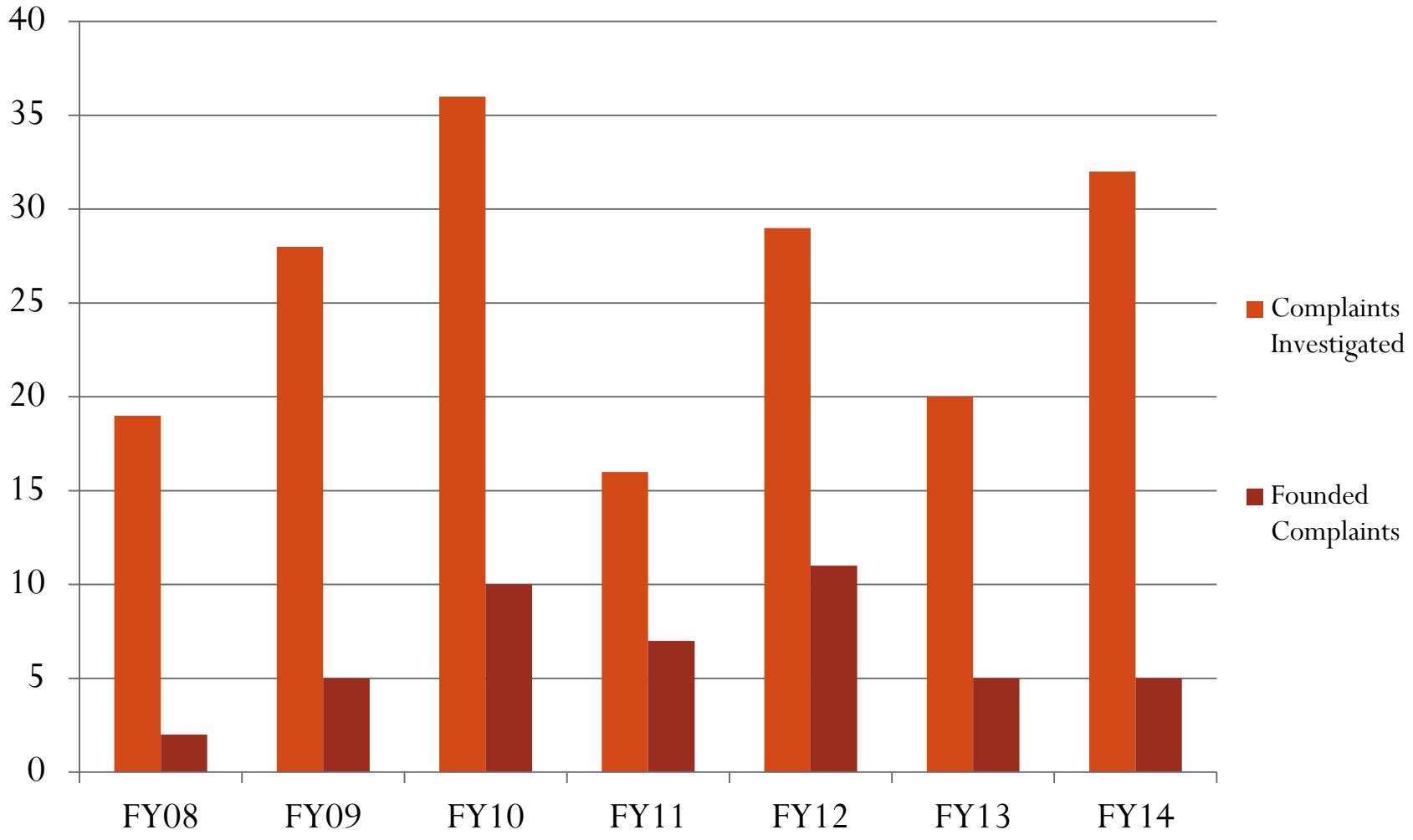
- **Corrective Action**
  - Training
  - Placing Attorney on Probationary Status
  - Removal from an Active Case (Need Judicial Approval)
  - Remedial Action to Improve Quality of Attorney's Work
  - Suspending or Terminating the Attorney's Contract

Complaints Investigated: Case Type



Complaint Statistics

Complaints Investigated v. Founded Complaints



Establish Minimum Practice Standards, Duties & Responsibilities

Chief Justice Directive

Cornerstone Advocacy

Litigation Support & Training Program

Practice Supports

Listserv

Website

Training

Litigation Support & Training: Practice Supports

- Expert witnesses, interpreters, investigators, transcript fees, and discovery costs (Billing Policies & Procedures Training)
- RMIAN
- Educational Advocacy
- Appellate list
- Consultation with OCR staff
- GRID
- Motions Bank
- Newsletter

Provide Litigation Support: Appellate Policy

If you have an appeal:

- ✓ Provide OCR copies of all appellate petitions, responses, replies, and briefs Contractor submits/files, including those pleadings that Contractor submits/files jointly with another party.

- ✓ Inform OCR of scheduled oral argument(s) and pending petition(s) for *certiorari* with the Colorado Supreme Court and/or the United States Supreme Court.

Provide Litigation Support: Appellate Policy

A Contractor shall:

Ensure the best interests of the Minor Child(ren) are represented on appeal by either:

1. arranging for substitute appellate counsel from the approved list of OCR attorneys within two days of receipt of the Notice of Appeal/Designation of Record

or

2. participating in the appeal in a manner that ensures the Minor Child(ren)'s interests are competently represented during the appeal.

OCR Judicial District Oversight Map

LINDA WEINERMAN

4 – El Paso; Teller
5 – Eagle; Lake; Clear Creek; Summit
14 – Moffat; Routt; Grand
15- Cheyenne; Kiowa; Prowers; Baca
16 – Bent; Otero; Crowley
18 – Arapahoe; Elbert; Lincoln; Douglas

SHERI DANZ

1 – Jefferson; Gilpin
3 – Las Animas; Huerfano
10 – Pueblo
11 – Park; Chaffee; Fremont; Custer
12 – Alamosa; Costilla; Rio Grande; Conejos; Saguache; Mineral
13 – Logan; Morgan; Washington; Yuma; Kit Carson; Phillips; Sedgwick

DOROTHY MACIAS

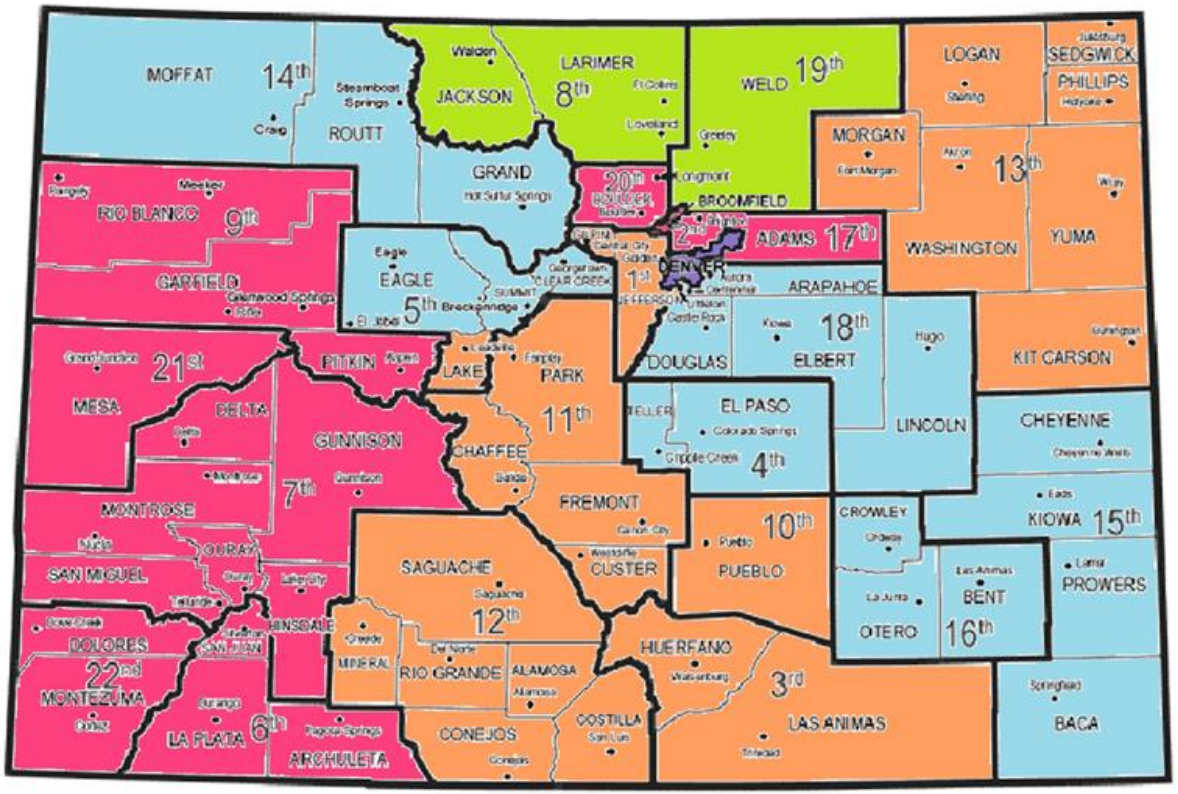
6 – Archuleta; La Plata
7 - Gunnison; Ouray; Delta; San Miguel; Montrose; Gunnison
9 – Garfield; Rio Blanco; Pitkin
17 – Adams; Broomfield
20 – Boulder
21 – Mesa
22 – Montezuma; Dolores

ASHLEE JONES

2 - Denver

AMANDA DONNELLY

8 – Larimer; Jackson
19 – Weld



Litigation Support & Training: Listserv Policy

- Limited to OCR contractors
- All contractors required to subscribe

OCR listserv is used for

1. Information Exchange
2. OCR Official Information

Notify OCR if your email address changes.

Litigation Support & Training: Listserv Policy

Listserv Rules:

- **Keep on topic.** Please refrain from political discussions and issues unrelated to the representation of children.
- **Keep it brief.** The best posts are a few paragraphs long. Avoid messages saying only "I agree" which do not add to the substantive discussion.
- **Keep it civil.** Some topics can generate intense discussion, but discussions should never cross over into personal attacks. All messages should be signed with a first and last name and must include your personal e-mail address. Anonymous messages and nicknames are not permitted.
- **No commercial solicitations** may be made without the permission of the OCR.

Litigation Support & Training: Website

OCR CARES | ATTORNEY LOGIN

Colorado Office of the
Child's Representative

Search ...

Home | About OCR | OCR Cases | Provide Feedback | Finding Help | Attorney Center | GRID | Training

What We Do

The Office of the Child's Representative is the state agency charged with providing competent and effective best interests legal representation to children involved in the Colorado court system.

Welcome to the OCR's new website! We are still performing final updates and fine tuning while we are live. If you encounter difficulty accessing any part of the site, please **contact us** to report your problem. We value your feedback and will resolve any issues as soon as possible. X

WHAT WE DO | CONTACT US | NEWSLETTER

Upcoming Events

There are no events at this time. Please check back regularly for updates.

OCR Attorneys

Meet An OCR Attorney

Each quarter, the OCR will feature an attorney

News & Legal Updates

7/8/14: OCR Legislative & Legal Update Webinar

Litigation Support & Training: Establish Training Requirements & Offer Accessible High-Quality Trainings

..*possess the knowledge, expertise and training necessary to perform the court appointment*

- C.J.D. 04-06 requires at least 10 hours of training prior to initial appointment and per legal education reporting period
- OCR contract requires at least ten CLEs of OCR sponsored or approved training each year and attendance at all mandatory trainings as required by OCR

Available OCR Trainings:

- OCR sponsors two state-wide conferences each year and hosts smaller trainings and webinars year-round
- The "Training Materials" page of OCR's website contains numerous on-line trainings and archived webinars
- Most on-line trainings hosted in the past two years are available for Home Study CLE credit

OCR Activities: Assess Models of Deliverying Representation

Independent Contractors

El Paso County GAL Office

Multidisciplinary Law Offices

Assess Models of Representation

1) **Independent contractors –** 230 statewide

2) **OCR's El Paso County GAL Office**: est. 2001 employees FTE (12 attorneys, 4 SW, 4 support staff)

3) **Multidisciplinary Law Office (MDLO) Pilot Program:** est. 2011, 3 offices

- The 4 offices handled approximately 3,700 cases in FY15.

Assess Models of Representation: MDLO

Multidisciplinary Law Offices Evaluation

- MDLOs spend more time per case on average and engage in more contact with children than independent contractors.
- While the multidisciplinary approach allows the dedication of additional hours at a lower cost than would be incurred if all activities had been billed at the attorney rate, the increased investment of time does result in a higher average cost per case than the amount billed by independent contractors.
- A key question for the OCR is whether and how this increased investment of time and dollars impacts outcomes for children.

Assess Models of Representation: MDLO Next Steps

Problem Statement

Inconsistencies in GAL practice; Variation and Unpredictability of Costs

Goal

To improve the delivery of best interests representation to children. To inform OCR's standards of practice. To augment OCR's oversight capacity and identify efficiencies that promote quality representation.

Resources

Financial support (OCR)
Office environment—physical space, technology, equipment
Human resources—Attorneys and Social Workers with varying levels of experience and expertise; Support staff; language skills
Enhanced overhead (benefits)
Enhanced training
Enhanced accountability: Direct supervision, coaching and mentoring
Materials—forms, practice resources, motions bank, etc.

Activities (Office Structure)

Providing infrastructure: management and oversight structures
Building relationships: to stay apprised of issues and have a voice in the process
Develop practice resources and promote best practices
Report to OCR

Activities (Multidisciplinary)

Engage in a multidisciplinary approach to advocacy and best interests representation
Consistency: Comply with the C.J.D.
Enhanced advocacy: Comply with Statement of Work
CARES target of 80% [for an employee with 6 weeks leave this would equal 1476 hours per year].

Outcomes

Predictable cost
Heightened oversight and accountability
Institutional presence
Improved case management
Controlled caseloads
Decreased wait time
Consistent access to social worker
Delivery of consistent, high quality, advocacy
Consistent presentation to court
Amplify child's voice: Increased contact with child, consistent contact with child prior to hearings, increased child participation at case events, increase frequency of advising court of child's position, increased child attendance at court
Heightened engagement in case: increased case activity, increased participation in meetings and case events

Rationales and Assumptions

Law Office environment improves the process of delivering best interests legal representation. The targeted training, supervision, case consultation, and staff support offered in an office environment lead to increase consistency in the quality of representation. The Law Office environment provides oversight and accountability leading to best practices being uniformly implemented and consistently applied. The MDLOs have established an institutional presence which allows them to be part of decision making in their district. Having a social services staff member enriches the investigatory process enabling GALs to make better informed recommendations. Multidisciplinary approach helps establish, and support, trusting relationship with youth (quality and frequency of contacts with children), enhancing GAL ability to advocate for BIC.

Compassion Fatigue & Vicarious Trauma

Self Care Resources

Compassion Fatigue

- What Makes Lawyers Happy?: A Data Driven Prescription to Redefine Professional Success, 83 George Washington Law Review 554 (2015)
- Colorado Lawyer Assistance Program
- Cultural Competency: The Awareness Experience and Vicarious Trauma for Court Visitors, CFIs, GALs, and Mediators
- Preventing Burnout: Understanding the Impact of Compassion Fatigue & Vicarious Trauma on the Legal Profession