

Contract for Multidisciplinary Law Office

Exhibit A

STATEMENT OF WORK

CONTRACTOR DUTIES AND RESPONSIBILITIES

Contractor shall use a multidisciplinary model to provide best interests legal representation to children who are the subject of dependency and neglect (“D&N”) and delinquency cases pursuant to Title 19 of the Colorado Revised Statutes (“C.R.S.”) in Denver Juvenile Court.

1. GENERAL REQUIREMENTS

Contractor will ensure the following:

- 1.1. Establish an institutional presence in its judicial district.
- 1.2. In Dependency and Neglect cases each child shall initially be assigned a team of workers which shall include one Attorney and one social service staff member (the “Child’s Team”) who shall be primarily responsible for frontloading the investigation, advocacy and representation of the child’s best interests. A continued team approach to case management and formulation of case goals and the use of social service staff members is utilized at the discretion of the Contractor as required by the case;
- 1.3. The use of a social service professional on other case types shall be discretionary by Contractor;
- 1.4. The Attorney will strive to ensure that all legal rights and entitlements of the child are protected and that issues affecting the child’s well-being are addressed through all appropriate proceedings;
- 1.5. Contractor will assist in identifying and advocating for appropriate resources and community based services to meet the child’s needs and improve case outcomes;
- 1.6. Commence best interests representation and/or services upon notification of court appointment and continue such until termination of the court’s jurisdiction over the Minor Child(ren) pursuant to applicable statutes, order of the Court terminating contractor’s appointment, or notice that OCR has terminated this agreement in whole or in part.
- 1.7. Attorneys and social service employees will consider the child’s position and advise the court of the child’s position regarding the disposition of the matters addressed at the hearing, as required by C.J.D. 04-06;
- 1.8. Utilize OCR’s case management/billing system, Colorado Attorney Reimbursement Electronic System (OCR CARES), to timely input all case information and activity. Case information at minimum shall include:

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- (a) Appointment information including appropriately opening appointments, ending appointments, ending assignments, and closing cases;
- (b) Placement information;
- (c) All contacts with Child(ren);
- (d) Child attendance at court hearings;
- (e) Hearing outcomes.

1.9. PROGRAM SITE/OFFICE SPACE-- Contractor will:

- (a) Maintain an office situated to serve the District Court;
- (b) Operate, at a minimum, during regular business hours Monday through Friday 8:00 a.m. to 5:00 p.m.; and
- (c) Provide a phone answering system during regular business hours and after business hours and maintain procedures to address emergencies after business hours.

1.10. LIBRARY FACILITIES/TRAINING-- Contractor will:

- (a) Have access to a law library physically on the premises and/or provide on-line research capabilities for legal staff;
- (b) Utilize OCR's training programs and provide any additional training and supervision to staff to ensure competency and performance consistent with the Performance Requirements and the Multidisciplinary approach to legal representation; and

1.11. APPEALS

- (a) Ensure the best interests of the Minor Child(ren) are represented on appeal by either (i) 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 (ii) participating in the appeal in a manner that ensures the Minor Child(ren)'s interests are competently represented during the appeal.
- (b) Contractor will 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. Contractor will 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.
- (c) Participation in the appeal of a final order to the Colorado Court of Appeals or Supreme Court is not covered by this Agreement. Contractor may opt to participate in such appeal and receive additional compensation at the OCR attorney rate as billed in compliance with the OCR's Billing Policies and Procedures.

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2. **STAFFING REQUIREMENTS**

2.1 **HIRING**-- Contractor will:

- (a) Endeavor to hire staff, including Attorneys and social service professionals, who represent the demographics of its county; and
- (b) Use reasonable efforts to hire staff who speak Spanish.

2.2 **ATTORNEYS**-- Contractor will:

- (a) Employ attorneys licensed or permitted to practice law and in good standing in the State of Colorado;
- (b) Ensure that at least 25% of the Attorneys have experience in D&N proceedings or other substantially related work, including trial experience;
- (c) Employ attorneys with the knowledge, expertise and training necessary to provide thorough, competent legal representation in the best interests of minor children and endeavor to employ attorneys with experience in other areas of family or social service advocacy, such as, but not limited to, custody proceedings; educational advocacy; medical and welfare benefits; developmental disability and mental health entitlements; family violence, housing and delinquency matters;
- (d) Ensure that prior to an Attorney's first appointment, such Attorney shall have received ten (10) hours of relevant legal training and that each such Attorney will obtain ten (10) hours of OCR sponsored training per year thereafter;
- (e) Ensure each Attorney is in compliance with Chief Justice Directive ("CJD") 04-06 and/or any subsequent CJDs; and
- (f) Ensure its attorney representation is consistent with the Colorado Rules of Professional Conduct and applicable statutes.

2.3 **SOCIAL SERVICE STAFF**-- Contractor will:

- (a) Use professionals with substantial experience in the social service fields and/or with a master's degree in social work;
- (b) Ensure that social service staff have expertise in areas relevant to best interests representation, including but not limited to: child protection, child development, behavioral and mental health, developmental disabilities, medical needs, sexual abuse, substance abuse treatment, special education and family violence; and
- (c) Ensure that social service supervisory staff has experience with proceedings in juvenile court.

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- (d) Ensure that social service staff members obtain on-going training appropriate and relevant to their role.

2.4 SUPPORT STAFF

Contractor will provide administrative staff sufficient to support the work of the representation teams and the office, including the ability to meet data submission and audit compliance requirements.

2.5 SUPERVISION REQUIREMENTS

Contractor shall provide staff with appropriate training and supervision. In particular, Contractor shall:

- (a) Provide supervisory staff at a level appropriate to case load and organizational size;
- (b) Provide supervision by a professional with extensive experience in the child protection field;
- (c) Provide training, mentoring and supervision for staff to increase knowledge of relevant areas of the law and child development;
- (d) Maintain a supervisory structure that ensures equitable case distribution and when possible case assignments based upon the area of staff expertise and issues identifiable in pleadings;
- (e) Ensure that supervisory staff will be available to assist on an ongoing basis and provide formal performance reviews for all staff members and maintain records of such reviews;
- (f) Ensure that Attorney supervisory staff has extensive experience in child protection litigation in juvenile court; and
- (g) Provide direct observation in court and/or in the field and solicit feedback from children, when appropriate, and families. Maintain a system to receive feedback from other attorneys; placement resources; department of human services' social workers; and court personnel in order to assess Attorney and social service staff performance.

Notwithstanding the foregoing, OCR and the State of Colorado reserve the right to assess and audit all Attorneys and investigate and resolve all complaints filed against any staff member, including any Attorney. OCR reserves the right to direct Contractor not to use certain Attorneys or staff members to provide the services required under this Statement of Work based upon unsatisfactory audit or investigative findings.

3. PERFORMANCE REQUIREMENTS FOR MULTIDISCIPLINARY LAW OFFICES

DEPENDENCY AND NEGLECT

3.1 CORNERSTONE ADVOCACY

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Each Attorney shall structure his/her D&N cases based upon the principles of Cornerstone Advocacy for GALs. This requires that each Attorney focus on the following areas:

- (a) *Placement*: securing the appropriate placement which supports a child's connections to family and the people and institutions that the child was connected to before placement, including biological parents, kin and kin-like placements where appropriate;
- (b) *Visits*: where appropriate, using visiting resources to increase the frequency and length of visits with parents, guardians, and siblings and encourage the utilization of settings that most closely mimic family life;
- (c) *Services*: ensuring appropriate strength-based treatment plans and services for the child and the respondent parents which are specifically tailored to each child and family;
- (d) *Education and Life Skills Planning*: assisting in the formulation and execution of a plan which focuses attention on the educational needs of each child and which supports school stability and success including maintaining a child in his/her home school, ensuring that when a school transfer is necessary the child is promptly enrolled in the new school and her/his educational records including IEP are promptly transferred, and ensuring that a child is assessed for an IEP when necessary; and assisting with transition planning if the child will still be in care upon turning 18 years of age, including helping to secure a life-long permanent family connection.

3.2 CONTRACTOR SHALL ABIDE WITH THE REQUIREMENTS SET FORTH IN C.J.D. 04-06.

- (a) While it is anticipated that the social services staff member of a Child's Team may be assisting with the investigation, the Attorney remains responsible for all activities specifically assigned to the GAL by CJD 04-06.
- (b) While it is anticipated that the social services staff member of a Child's Team might attend the majority of the outside meetings held on a case, the assigned Attorney shall personally attend at least 20% of the meetings and conduct a portion of the outside investigation, and the staff who attend a meeting must be in a position to advance the advocacy goals.

3.3 ENHANCED REQUIREMENTS

Contractor shall ensure:

- (a) The Attorney, or child's team if assigned, in every D&N case shall attempt to establish a trusting and age-appropriate relationship with the child;
- (b) A member of the Child's Team or other social service staff member shall have meaningful face-to-face visits with the child at least once every 90 days;
- (c) Two of the four minimum annual visits shall occur at the child's residence;
- (d) The assigned Attorney will attend two face-to-face visits annually with at least one occurring at the child's residence;

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- (e) In cases in which the child is living or placed more than 150 miles from the District Court, the requirement to meet face-to-face with the child is waived;
- (f) A member of the Child’s Team, preferably the assigned Attorney, shall contact the child, or the child’s caregiver if the child is unable due to age or disability to discuss his/her case, prior to each court date either by phone, e-mail, text or in person and document the child’s position when ascertainable;
- (g) The Attorney, or child’s team if assigned, when appropriate, shall encourage the participation of the child or youth at court proceedings and case events;
- (h) The Attorney, or child’s team if assigned, will advocate for prompt implementation of court orders, agreements, service plans, and referrals.
- (i) The Attorney, or child’s team if assigned, will monitor psychotropic medications

3.4 FOR ALL OTHER CASE TYPES, CONTRACTOR SHALL:

- (a) Abide with the requirements set forth in C.J.D. 04-06.
- (b) Use social service staff members and the “child’s team” approach to enhance best interest representation as appropriate.
- (c) Employ and develop best and promising practices in its provision of best interest representation;
- (d) Document its protocol for handling other case types in its Office Policies.

4. CASE LOAD/ CHILD CAPS

4.1 Contractor will work with OCR to ensure the efficient use of state dollars. Contractor will handle ___ D&N cases. Deviations in actual caseload may result in adjustments to the office staffing, budget, and payments.

4.2 Caseloads

- (a) For attorneys carrying a D&N only caseload, the attorney shall be limited to ___ D&N cases.
- (b) Each social service staff member shall be limited to ___ cases when they are carrying a mixed caseload of active and inactive Dependency and Neglect cases

4.3 Contractor will maintain staff to meet case load limits.

5. REPORTING/ EVALUATION/AUDIT REQUIREMENTS

5.1 REPORTING

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- (a) Contractor shall maintain an Employee Handbook and or Office Policies which include:
Documentation of the processes for utilization of the “child’s team” approach to case management, assignment of social service staff members, and employee training, supervision and oversight provide to OCR as Attachment E (“Office Policies”).

Within 30 days of the end of each quarter, Contractor will submit to OCR:

- (a) A staffing report including the name and position of all employees, current caseload, start date, and exit date.
- (b) Unaudited financial statements including a balance sheet as of the last day of the quarter and an income statement for such quarter, which income statement shall set forth the amount and percentage variance for each line item from the budget submitted by Contractor to OCR.
- (c) Notification of any changes to Office Policies impacting the use of the “child’s team” approach to case management, assignment of social service staff members, and employee training, supervision and oversight

5.2 EVALUATION

Contractor will cooperate with monitoring and evaluation of its office. The OCR will monitor the office’s compliance with the Statement of Work and implementation of the multidisciplinary team approach.

Projected outcomes include, but are not limited to:

- (a) Increased in person contact with youth as compared to independent contractors;
- (b) Consistent contact with youth prior to court hearings;
- (c) Increased attendance at relevant meetings and proceedings as compared to FY13;
- (d) Increased frequency of the statement of a child’s position regarding the disposition of the matters addressed at the hearing;
- (e) Consistently stating child’s position at court hearings
- (f) Youth Satisfaction: GAL got to know me, GAL knows me well enough to represent BIC, I know how to contact my GAL (youth survey questions)
- (g) Increased participation of children in case events;
- (h) Pending caseloads and annual caseloads per Attorney;
- (i) Prompt implementation of court orders
- (j) Aggregate information regarding represented children

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- 5.3 AUDIT: Contractor shall cooperate with all periodic performance audits requested by OCR or any other appropriate state agency.

APPENDICES

- 1) Chief Justice Directive 04-06 - http://www.courts.state.co.us/Courts/Supreme_Court/Directives/04-06revised3-19-13withattArev3-14.pdf
- 2) MDLO Logic Model
- 3) MDLO Measures