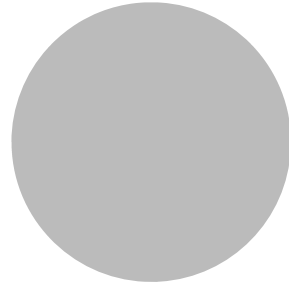


Effective Appellate Briefs

IN DEPENDENCY AND NEGLECT



Jenny Carman
Staff Attorney, Colorado Court of Appeals

Effective Appellate Briefs in Dependency and Neglect

- ▶ Reader-Friendly Briefs
- ▶ Helpful ICWA Compliance Statements
- ▶ Purposeful Factual Statements
- ▶ Well-Framed Issues
- ▶ Effective Argument

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This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Helpful ICWA Compliance Statements

- ▶ Address all the parents
- ▶ State whether ICWA requirements were met
- ▶ Identify noncompliance
 - ▶ If inquiry was lacking as to your client, consider stating whether the client would assert tribal affiliation on remand
 - ▶ Argue ICWA non-compliance in the main brief
 - ▶ Consider requesting a limited remand

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- This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slight shadow on its right side, suggesting it's resting on a surface.

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Framing the Issues

- ▶ Present the same issue in the table of contents, issue statement, summary of argument, and argument
- ▶ Identify specific errors as separate issues
 - NO:** The juvenile court erred when it found the criteria for termination were met.
 - YES:**
 - I. The juvenile court erred when it found father had not complied with his treatment plan.
 - II. The juvenile court erred when it found the Dep't made reasonable efforts to rehabilitate father where no mental health services were provided.

- [illegible]

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