AGENDA
Zealous Advocacy in CHIPS Cases: What Parent Attorneys Need to Know to Effectively Advocate for their Clients

Sheraton Bloomington Hotel
5601 West 78th Street
Bloomington, Minnesota 55439

Day 1: Social Sciences
Wednesday – September 25, 2019

8:00 – 9:00  Registration and Networking  *(light continental breakfast provided)*

9:00 – 9:15  Welcome and Overview of Conference
              ❖ Rebecca Vanden Hanen, Staff Attorney, Children’s Justice Initiative, State Court Administration

9:15 – 10:15  My Child Has Been Taken Away: Understanding Your Client’s Needs
               ❖ Facilitator: Larene Randle-Wade, Chief Executive Officer, Minnesota One-Stop for Communities
               ❖ Panel of CHIPS Parent Mentors: Lisa Crockett, Tiffany Hunsley, October Allen, Kristin Bellanger, and Ashley Reyes
                  ➢ Parent mentors share what attorneys should know about representing parents in cases where permanent separation from their children is at stake

10:15 – 10:30  Break

10:30 – 11:30  Trauma: Impact on Child Development
               ❖ Elizabeth Carlson, Ph.D., Institute of Child Development, University of Minnesota
                  ➢ Adverse Childhood Trauma (ACEs)
                  ➢ Overview of the impact of trauma, including abuse and neglect, on the healthy development of children
                  ➢ Identifying and delivering services to children and parents who have and are experiencing trauma
11:30 – 12:30  Lunch *(provided by CJI)*

12:00 – 12:30 *(Lunchtime address)*

**Best Practices for Attorneys Who Represent Parents**
- Joanna Woolman, Associate Professor of Law and Director, Child Protection Program, Mitchell Hamline School of Law
- Diana Rugh Johnson, Parent Attorney, Atlanta, Georgia
  - Overview of ABA’s recommended best practices for parent attorneys
  - Discussion about best practices and barriers to best practices in Minnesota

12:30 – 1:30  Minnesota’s Permanency Laws and Timeline: Tools for Parents
- Rebecca Vanden Hanen, Staff Attorney, State Court Administration
  - Minnesota’s permanency timeline and reasonable/active efforts requirements
  - Using the timeline and requirements to the advantage of children and families

1:30 – 2:30  Challenges to Parents Involved in CHIPS Cases: Mental Health Disorders
- Deena McMahon, MSW, LISW, McMahon Counseling & Consultation
  - Overview of “common” mental health disorders and how they are diagnosed
  - Impact of mental health disorders on a parent’s ability to safely parent their child
  - Short- and long-term outcomes and recovery prognosis
  - Understanding how attorneys can best represent parents who have mental health disorders

2:30 – 2:45  Break

2:45 – 3:45  Challenges to Parents Involved in CHIPS Cases: Substance Abuse
- Carmen Finn, Clinical Director, Recovering Hope Treatment Center
  - Overview of substance abuse as a brain disease
  - Impact of chemical dependency on a parent’s ability to safely parent their child
  - Treatment options
  - Short- and long-term outcomes and recovery prognosis
  - Understanding how attorneys can best represent parents who have substance abuse disorders
3:45 – 4:45 Challenges to Families Involved in CHIPS Cases: Domestic Violence
   Nicole Lindemyer, JD, Safety Consultant, Child Safety and Prevention Unit, Minnesota Department of Human Services
   - Overview of domestic violence
   - Impact of domestic violence on a parent’s (both the abuser and the victim) ability to safely parent their child
   - Treatment options
   - Short- and long-term outcomes and treatment prognosis
   - Impact of treatment prognosis on child protection permanency timeline

4:45 – 5:15 Challenges to Families Involved in CHIPS Cases: Public Benefits Available to Assist Families
   Suzanne Guertin, Attorney, Southern Minnesota Regional Legal Services
   - The role poverty plays as a contributing factor to abuse or neglect
   - Impact of lack housing or adequate housing
   - Impact of lack of transportation
   - Public benefits available to children and families (MA, MFIP, housing subsidies, transportation assistance)
   - Understanding how attorneys can best assist families in poverty

5:15 Adjourn
Day 2: Parent Attorney Roles and Responsibilities  
Thursday – September 26, 2019

7:30 – 8:30  Registration and Networking  *(light continental breakfast provided)*

8:30 – 9:15  Foundations of Strong Parent Advocacy  
❖ Diana Rugh Johnson, Parent Attorney, Atlanta, Georgia

9:15 – 10:15  Professional Responsibility Issues for Parent Attorneys  
❖ Susan Humiston, Director, Office of Lawyer’s Professional Responsibility  
   ➢ Representing clients with diminished capacity (e.g., issues regarding decision making and substitute judgment)  
   ➢ Potential conflicts of interest (e.g., representing both parents)

10:15 – 10:30  Break

10:30 – 11:30  The Indian Child Welfare Act (ICWA): Purpose and Key Components  
❖ Tribal Court Judge and Tribal Attorney Jessica Ryan  
   ➢ Purpose and key components of the ICWA  
   ➢ Role of parent attorney in ensuring compliance with the ICWA  
   ➢ Transfer of proceedings to tribal court  
   ➢ Additional time for parent to prepare  
   ➢ Appointment of counsel for parents of an Indian child

11:30 – 12:30  Lunch *(provided by CJI)*

12:00 – 12:30  *(Lunchtime address)*  
Engaging Your Client  
❖ Joanna Woolman, Associate Professor of Law and Director, Child Protection Program, Mitchell Hamline School of Law  
❖ Diana Rugh Johnson, Parent Attorney, Atlanta, Georgia  
   ➢ Establishing client trust  
   ➢ Defining client’s goals  
   ➢ Defining scope of representation  
   ➢ Meeting your client where he/she is regarding substance abuse, mental health, domestic violence, and/or poverty issues  
   ➢ Managing your client’s expectations  
   ➢ Engaging the client for behavioral awareness and change  
   ➢ Client contact between hearings
12:30 – 12:45  Move to Breakout sessions

12:45 – 2:00  Breakout Sessions Round 1: Attorney Roles and Responsibilities

1. **Client Advocacy from the EPC Hearing Through Adjudication**
   - **Location:** Bloomington Ballroom Sections I & II
   - *Melanie Dotty, Parent Attorney, Pequot Lakes*
   - *Patricia Zenner, Parent Attorney, Zenner Law Office, Stillwater*
     - EPC hearing
     - CHIPS admit/deny hearing
     - Adjudication and disposition

2. **Client Advocacy from Disposition Through Permanency**
   - **Location:** Bloomington Ballroom Sections III & IV
   - *Nicole Gronneberg, Parent Attorney, Gronneberg Law Office, St. Paul*
   - *Rachelle Stratton, Supervising Attorney, Hennepin County Adult Representation Services – Child Protection Defense Unit*
     - Disposition review hearing
     - Permanency progress review hearing
     - Permanency admit/deny hearing (and pre-trial and trial)
     - Post-permanency review hearings
     - Evidentiary issues
     - Motion practice

3. **Juvenile Court Practice**
   - **Location:** Baliff Room
   - *Amy Chantry, Parent Attorney, Chantry Law Office, St. Cloud*
   - *Cathi Gabriel, Parent Attorney, CGW Law Office, Annandale*
   - *Kari Willis, Assistant Wright County Attorney*
     - Investigation
     - Informal and formal discovery
     - Managing expert witnesses
     - Negotiation and exploring settlement possibilities
     - Court preparation
     - Case planning (pre- and post-removal; client advocacy)
     - Institutional pressures (e.g., workload, pay, access to resources)

2:00 – 2:15  Break

2:15 – 3:30  Breakout Sessions Round 2: Attorney Roles and Responsibilities

4. **Client Advocacy from the EPC Hearing Through Adjudication**
   - *(Repeat of Round 1)* **Location:** Bloomington Ballroom Sections I & II

5. **Client Advocacy from Disposition Through Permanency**
   - *(Repeat of Round 1)* **Location:** Bloomington Ballroom Sections III & IV
(6) **Juvenile Court Practice**  
   *(Repeat of Round 1)* Location: Baliff Room

3:30 – 3:45 Break

3:45 – 5:00 Breakout Sessions Round 3: Attorney Roles and Responsibilities

(7) **Client Advocacy from the EPC Hearing Through Adjudication**  
   *(Repeat of Round 1)* Location: Bloomington Ballroom Sections I & II

(8) **Client Advocacy from Disposition Through Permanency**  
   *(Repeat of Round 1)* Location: Bloomington Ballroom Sections III & IV

(9) **Juvenile Court Practice**  
   *(Repeat of Round 1)* Location: Baliff Room

5:00 Adjourn
Day 3: Collaboration and Special Representation Issues  
Friday – September 27, 2019

7:30 – 8:30  Registration and Networking (*light continental breakfast provided*)

8:30 – 9:30  Stakeholder Panel: Ethical Collaboration Amidst Zealous Client Advocacy
- Co-Facilitators: Judge Juan Hoyos and Judge Hilary Caligiuri, Hennepin County Juvenile Court
- County Attorney: Erin Johnson, Assistant Washington County Attorney
- Social Services: Ann Hackel, Dakota County Social Services
- Guardian Ad Litem: Adam Vetvick, Staff Attorney, 4th District GAL Program
- Parent Attorney: Cathi Gabriel, CGW Law Office, Annandale
- Child Attorney: Anne Tyler Gueinzius, Managing Attorney, Children’s Law Center of Minnesota
- Tribal Attorneys: Rebecca McConkey-Greene, White Earth Nation, and Ralph Overholt, Leech Lake.
  - Child protection system stakeholders share their expertise about the importance of collaborating to ensure positive outcomes for children, while still advocating zealously for their clients’ rights and needs

9:30 – 10:30  Case Plan Development: What the Law Requires and Ensuring Your Client’s Involvement
- Janine LePage, Assistant Crow Wing County Attorney, and Kari Willis, Assistant Wright County Attorney
  - Legal requirements for developing protective services cases plans and out-of-home placement plans
  - How protective services cases plans and out-of-home placement plans are designed to address goals of children’s safety and permanency and parents’ demonstrated and sustained behavioral change
  - How to ensure your client’s voice is heard and needs identified in the case plan so he/she has support necessary to correct the conditions leading to the child’s out of home placement
  - Parental behavioral change sufficient to allow children to safely remain at home or be returned home

10:30 – 10:45  Break

10:45 – 11:30  Appellate Practice to Strengthen Your Parent Advocacy
- Judge John Rodenberg, Minnesota Court of Appeals
  - Ensuring your client's appellate timelines are met – even if you are not the appellate attorney
  - Top five “do’s” and “don’ts” for appellate practice
  - Overview of significant federal and state appellate court cases related to reasonable/active efforts, case planning, and termination of parental rights
11:30 – 12:30  Lunch *(provided by CJI)*

12:30 – 1:00  Representing Undocumented Parents
- Danielle Hendrickson, Immigration Attorney, Mid-Minnesota Legal Aid
  - Overview of issues to consider when representing undocumented parents
  - Strategies for advising undocumented clients regarding available options within the bounds of federal and state laws

1:00 – 1:30  Representing Incarcerated Parents
- Joanna Woolman, Associate Professor of Law and Director, Child Protection Program, Mitchell Hamline School of Law
  - Issues to consider when representing incarcerated parents
  - Strategies for advising incarcerated parents (does length of incarceration matter)

1:30 – 2:15  Litigating Maltreatment Findings
- Jon Geffen, JD, Director Reentry Clinic, Mitchell Hamline School of Law
  - Overview of maltreatment law and maltreatment determination process in child protection cases
  - Overview of consequences of maltreatment determination on parents
  - Strategies and tools for parent attorneys seeking to help clients challenge maltreatment determination

2:15 – 2:30  Pulling It All Together and Applying to be Listed on the Roster of Qualified Parent Attorneys
- Rebecca Vanden Hanen, Staff Attorney, Children’s Justice Initiative, State Court Administration
  - Children’s Justice Initiative – Role of parent attorneys in improving practice
  - Process for registering to be listed on roster of qualified parent attorneys
  - Resources: Parent attorney list serves – National and Minnesota

2:30  Conference Concludes

---

This conference was funded through a grant from the U.S. Department of Health and Human Services, Administration for Children and Families, Children’s Bureau, State Court Improvement Program Grant awarded under the provisions of Section 438 of the Social Security Act; Section 7401 of the Deficit Reduction Act of 2005 (Public Law 109-171); Titles IV-B and IV-E of the Social Security Act; and the Child and Family Services Improvement and Innovation Act Public Law 112-34).