

JUVENILE COURT PRACTICE: INVESTIGATIONS, DISCOVERY, SETTLEMENT AND CASE PREPARATION

Presenters:

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Investigation

sorting fact from fiction; what does the petition allege and what does your client state

- Talk to client
- List of people to talk to (including contact information)
- Releases to be signed

Informal and Formal Discovery

Informal and formal discovery – what must the county produce and what should parent attorneys request

Discovery Rule J.P.P.R. 17

Petitioner

- Documents (in possession), objects and witnesses

Parties

- Documents and witnesses that will be used at trial
- Court Order required – physical/mental evaluations, depositions, etc.

Managing expert witnesses

- Scheduling
- Cost reviewed
- Deposition
- Prepared with testimony
- Set a concrete time for testifying

Settlement options

Negotiation and exploring settlement possibilities J.P.P.R
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- Agreement needs to be in the child's best interest
- Not all parties need to agree
- Admissions, stay of adjudication, concurrent criminal matters

Court Preparation

- Emergency Protective Care Hearing (EPC)
- Admit/Deny Hearing
- Pretrial
- Trials
- Disposition
- Intermediate Review Hearing

Best Practice Tips

- Communication with Client(s) and other parties
- Prepared for hearings
- Meeting Before Court
- Support based on Client needs
- Updates often
- Trust social worker (know the ones you can't)
- Supply aids to Client (calendar, services, etc)