



## Changes to Requirements for Qualified Parent Attorneys

### What Judicial Council Policy covers the requirements for parent attorneys?

[Judicial Council Policy 604](#): Qualifications for Attorneys Appointed by the Court to Represent Parents, Guardians, and Legal Custodians in Juvenile Protection Matters.

### What are the changes to this policy that take effect on February 1, 2021?

Three things have changed:

- The definition of required experience
- The required training
- The definition of who can supervise attorneys under the supervision qualification

### Required Experience Changes

Can an attorney apply to be on the roster under the experience criteria if they've only handled one juvenile protection case during the last two years?

Yes. There is no longer a requirement that attorneys applying under the experience criteria will have handled at least 10 juvenile protection cases during the two year period immediately before the application. An attorney just needs two years of experience representing parties or participants in juvenile protection matters regardless of the number of cases handled during that time.

### Required Training Changes

To qualify to be on the parent attorney roster under the training criteria, does an attorney need to have completed 18 hours of core skills training?

No, attorneys applying under the training criteria are no longer required to complete 18 hours of core skills training. Instead, they are required to complete a core skills training curriculum approved by the State Court Administrator (SCA) that includes these content areas, regardless of the amount of hours involved in the training itself:

- Types and purpose of CHIPS hearings: EPC hearings, admit/deny hearings, pretrial, trials, intermediate disposition hearings; permanency progress review hearings, permanency, and post-permanency review hearings
- Stages of a CHIPS proceeding: removal, EPC, adjudication, disposition, review, permanency, and post-permanency



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- Overview of relevant statutes and rules regarding the purpose of child protection proceedings, the process, timelines, CHIPS and permanency dispositions
- ICWA
- Common challenges clients face, such as poverty, trauma, domestic violence, and behavioral health needs
- Understanding case plans, parenting capacity assessments, chemical health assessments, mental health assessments, UAs, etc.
- Understanding the impact of trauma on children and parents
- Ethical and professional responsibility requirements of working with a parent client who is incapacitated because of mental health or chemical health issues
- Working with the attorney for the child, county child protection workers, GALs, and tribal child protection workers
- Best practices for engaging clients, establishing trust, defining client goals given the statutes, and client communication/contact

Who determines the qualifying training content?

According to Judicial Council Policy 604, the Children’s Justice Initiative (CJI) Advisory Committee approves the general content of the core skills training course attorneys complete to qualify under the training criteria. The SCA offers or approves training consistent with that content.

How do I find a core skills training curriculum approved by the SCA?

See the [Minnesota Judicial Branch website](#). The SCA approved a virtual, on-demand core skills curriculum from Mitchell Hamline’s Institute to Transform Child Protection (ITCP) that will be available at a low cost to interested parent attorneys starting February 1, 2021. For more information or to register, contact Katie Olson at [Katie.Olson@mitchellhamline.edu](mailto:Katie.Olson@mitchellhamline.edu) or Joanna Woolman at [Joanna.Woolman@mitchellhamline.edu](mailto:Joanna.Woolman@mitchellhamline.edu).



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Under the new policy, can attorneys get on the roster provisionally by completing some but not all of the core skills training when applying?

No. Under the new policy, an attorney must complete the entire core skills training curriculum with all relevant content areas to be approved for the roster. There is no longer a certain number of hours and timeframe for completion of the remaining hours that would allow provisional approval status. An attorney is either approved fully to be on the roster with an approval status or not.

Once I get on the parent attorney roster, do I need to complete and report continuing education credits each year to remain qualified?

No, attorneys who are approved for the parent attorney roster no longer need to complete and report three hours of continuing education credit each year to remain on the roster. Once an attorney is approved, they will remain on the roster unless or until they request removal or the State Court Administrator removes them because they no longer have a valid law license or submitted inaccurate information in the qualifying application.

### Supervision Changes

Can a supervisor be someone who is not currently on the parent attorney roster?

Yes, an attorney can supervise so long as they are either on the qualified attorney roster or could be on the roster of qualified attorneys based on their experience and/or training. This means that private attorneys and attorneys in academic settings could be supervisors.

Do supervisors need to observe in-person the supervised attorney's representation at least twice during the supervision period, including in court and in a client interview or counseling session?

No. This is no longer a requirement under the new policy. The supervisor just needs to be available for the attorney to contact them regularly and routinely to consult on case-related legal issues and strategies and review progress on each juvenile protection matter handled while under supervision.

**Who do I contact if I have more questions?**

You can contact Children's Justice Initiative (CJI) Program Staff at [CJI@courts.state.mn.us](mailto:CJI@courts.state.mn.us).