

**CLE Event Code: 222115**

**Approved for 19.0 CLE credits: 16 standard credits, 1.0 ethics credit, and 2.0 elimination of bias credits. See agenda for credits for each segment.**

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

**Earle Brown Heritage Center  
 6155 Earle Brown Drive  
 Minneapolis, MN 55430**

**Day 1: Social Sciences  
 Wednesday – June 15, 2016**

**8:00 – 9:00**                      **Registration and Networking** (*beverages only - no breakfast*)

**9:00 – 9:15**

.25 standard credit

**Welcome and Overview of Conference**

❖ *Judith Nord, Staff Attorney & Manager, Children's Justice Initiative, State Court Administration*

**9:15 – 10:15**

1.0 standard credit

**My Child Has Been Taken Away: Understanding Your Client's Needs**

❖ *Facilitator: Larene Randle, Parent Mentor Network Director, Prevent Child Abuse Minnesota*

❖ *Panel of CHIPS Parent Mentors: Lisa Crocket, Demond Jackson, Cherise Payton, October Seaberg, Elizabeth Vadnais*

- 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**

1.0 standard credit

**Trauma: Impact on Healthy 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)

0.5 standard credit

**Best Practice for Attorneys Who Represent Parents**

- ❖ *Joanna Woolman, Associate Professor of Law and Director, Child Protection Program, Mitchell Hamline School of Law*
- ❖ *Diana Rugh Johnson, Parents' Attorney, Atlanta, Georgia*
  - Overview of ABA's recommended best practices for parents' 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**

1.0 standard credit

- ❖ *Judith Nord, Staff Attorney & CJI Manager, 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**

1.0 elimination of bias credit

- ❖ *Deena McMahon, MSW, LISW, McMahon Counseling & Consultation*
  - Overview of "common" mental health disorders and how are they diagnosed
  - Impact of mental health disorders on a parent's ability to safely parent their child
  - Short- and long-term outcomes and recovery prognosis
  - Impact of recovery prognosis on permanency timeline
  - 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**

1.0 standard credit

- ❖ *Carmen Finn, Director of Treatment Services, Wayside Family Treatment House*
  - 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
  - Impact of recovery prognosis on child protection permanency timeline
  - Understanding how attorneys can best represent parents who have substance abuse disorders

**3:45 – 4:45**

1.0 standard credit

**Challenges to Families Involved in CHIPS Cases: Domestic Violence**

- ❖ *Elizabeth “Zeb” Henderson Shreve, MSW, LICSW, The Family Partnership*
  - 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**

0.5 standard credit

**Challenges to Families Involved in CHIPS Cases: Public Benefits Available to Assist Families**

- ❖ *Ann Quincy, Supervising Attorney, Mid-Minnesota Legal Assistance*
  - 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: Attorney Roles and Responsibilities**  
**Thursday – June 16, 2016**

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

**8:30 – 9:15**                    **Foundations of Strong Parent Advocacy**

0.75 standard credit

❖ *Diana Rugh Johnson, Parents' Attorney, Atlanta, Georgia*

**9:15 – 10:15**

1.0 ethics credit

**Professional Responsibility Issues for Parents' 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**

1.0 elimination of bias credit

**The Indian Child Welfare Act (ICWA): Purpose and Key Components**

❖ *Jessica Ryan, JD, Tribal Attorney, BlueDog, Paulson & Small*

- Purpose and key components of the ICWA
- Role of parent's 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 – 12:45**

**Lunch** (*provided by CJI*)

**12:00 – 12:30**

0.5 standard credit

(*Lunchtime address*)

**Engaging Your Client**

❖ *Joanna Woolman, Associate Professor of Law and Director, Child Protection Program, Mitchell Hamline School of Law*

❖ *Diana Rugh Johnson, Parents' 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

1.25 standard credit

### (1) Juvenile Court Practice

Location: [Harvest Room A](#)

- ❖ *Amy Chantry, JD, Parents' Attorney, Chantry Law Office, St. Cloud*
- ❖ *Cathy Gabriel, JD, Parents' Attorney, CGW Law Office, Annandale*
  - 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) Client Advocacy from the EPC Hearing Through Adjudication

Location: [Captains Room](#)

- ❖ *Sharon Benson, JD, Parents' Attorney, Benson Law Office, St. Cloud*
- ❖ *Patricia Zenner, JD, Parents' Attorney, Zenner Law Office, Stillwater*
  - EPC hearing
  - CHIPS admit/deny hearing
  - Adjudication and disposition

### (3) Client Advocacy from Disposition Through Permanency

Location: [Harvest Room B](#)

- ❖ *Nicole Gronneberg, JD, Parents' Attorney, Gronneberg Law Office, St. Paul*
- ❖ *Megan Hunt, JD, Parents' Attorney, Hunt Law Office, Stillwater*
  - Disposition review hearing
  - Permanency progress review hearing
  - Permanency admit/deny hearing (and pre-trial and trial)
  - Post-permanency review hearings
  - Evidentiary issues
  - Motion practice

2:00 – 2:15

Break

2:15 – 3:30

## Breakout Sessions Round 2: Attorney Roles and Responsibilities

1.25 standard credit

### (4) Juvenile Court Practice

(Repeat of Round 1) Location: [Harvest Room A](#)

### (5) Client Advocacy from the EPC Hearing Through Adjudication

(Repeat of Round 1) Location: [Captains Room](#)

### (6) Client Advocacy from Disposition Through Permanency

(Repeat of Round 1) Location: [Harvest Room B](#)

**3:30 – 3:45**

**Break**

**3:45 – 5:00**

**Breakout Sessions Round 3: Attorney Roles and Responsibilities**

1.25 standard credit

(7) **Juvenile Court Practice**

*(Repeat of Round 1)* Location: [Harvest Room A](#)

(8) **Client Advocacy from the EPC Hearing Through Adjudication**

*(Repeat of Round 1)* Location: [Captains Room](#)

(9) **Client Advocacy from Disposition Through Permanency**

*(Repeat of Round 1)* Location: [Harvest Room B](#)

**5:00**

**Adjourn**

**Day 3: Collaboration and Special Representation Issues**  
**Friday – June 17, 2016**

**7:30 – 8:30**

**Registration and Networking** (*continental breakfast provided*)

**8:30 – 9:30**

1.0 standard credit

**Stakeholder Panel: Ethical Collaboration Amidst Zealous Client Advocacy**

- ❖ *Facilitator: Hon. Jon Rodenberg, Minnesota Court of Appeals*
- ❖ *District Court Judge: Hon. John McBride, Washington County District Court*
- ❖ *County Attorney: Jennifer Jackson, Assistant Dakota County Attorney*
- ❖ *Social Services: Suzanne Arntson, Child Welfare Manager, Scott County Social Services*
- ❖ *Guardian Ad Litem: Brian Ansberry, Manager, 7<sup>th</sup> District GAL Program*
- ❖ *Parents' Attorney: Shannon Smith, Executive Director, Indian Child Welfare Law Center*
- ❖ *Child's Attorney: Anne Gueinzus, Managing Attorney, Children's Law Center of Minnesota*
  - 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**

1.0 standard credit

**Case Plan Development: What the Law Requires and Ensuring Your Client's Involvement**

- ❖ *Janine LePage, JD, Assistant Crow Wing 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**

0.75 standard credit

**Appellate Practice to Strengthen Your Parent Advocacy**

- ❖ *Hon Jon 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**

0.5 standard credit

**Representing Undocumented Parents**

- ❖ *Eren Sutherland, JD, Staff Attorney, Immigration Project, 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**

0.5 standard credit

**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**

0.75 standard credit

**Litigating Maltreatment Findings**

- ❖ *John Geffen, JD, Arneson & Geffen*
  - 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**

0.25 standard credit

**Pulling It All Together and Applying to be Listed on the Roster of Qualified Parents' Attorneys**

- ❖ *Judith Nord, Staff Attorney & Manager, Children's Justice Initiative, State Court Administration*
  - Children's Justice Initiative – Role of parents' attorneys in improving practice
  - Process for registering to be listed on roster of qualified parents' attorneys
  - Resources: Parents' 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).*