



# Child Welfare Attorneys

*A Toolkit for Quality Legal Representation*







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Sharon L. Kennedy

CHIEF JUSTICE

Patrick F. Fischer

R. Patrick DeWine

Michael P. Donnelly

Melody J. Stewart

Jennifer Brunner

Joseph T. Deters

JUSTICES

Robert W. Horner, III

ADMINISTRATIVE DIRECTOR

Stephanie E. Hess

DEPUTY ADMINISTRATIVE DIRECTOR



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### Workgroup Members:

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Tiffany Bird  
*Attorney, Richland County  
Children's Services*

Sam Campbell  
*Education Program Manager,  
Supreme Court of Ohio*

Debra Copeland  
*Program Analyst,  
Supreme Court of Ohio*

David Edelblute  
*Manager of Children & Families  
Section, Supreme Court of Ohio*

Carolynn Fittro  
*Attorney and Guardian ad  
Litem*

Megan Heydlauff  
*Attorney Services Director,  
Ohio CASA*

Renee Lupi  
*Staff Attorney, Ohio Department  
of Job and Family Services*

Kate Munger (Co-Chair)  
*Policy Counsel, Supreme Court  
of Ohio*

Hon. Jay Nixon (Co-Chair)  
*Knox County Court of Common  
Pleas*

Magistrate William Sieloff  
(Co-Chair)  
*Franklin County Court of  
Common Pleas*

Victoria Smith  
*Staff Attorney  
Family and Youth Law Center,  
Capital University School of Law*

Tequilla Washington  
*Project Manager, Ohio  
Department of Job and Family  
Services*

Lauren Weller  
*Senior Staff Attorney,  
Southeastern Ohio Legal Services*

Trish Wilson  
*Section Chief for Title IV-E,  
Ohio Department of Job and  
Family Services*

### With Valuable Assistance from:

---

Doug Althausser  
*Sole Practitioner*

Veronica Burroughs  
*OhioKAN Project Manager,  
Ohio Department of Job and  
Family Services*

Minerva Elizaga  
*Assistant Director, Lawyers'  
Fund for Client Protection*

Natalie Engel  
*Extern, Supreme Court of Ohio*

Rebecca Joseph  
*Extern, Supreme Court of Ohio*

Bradley Martinez  
*Assistant Director of Attorney  
Services, Supreme Court of Ohio*

Angela Riley  
*Court Services Analyst,  
Delaware County Probate/  
Juvenile Court*



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## Purpose of This Toolkit

### Why Are Competent Attorneys Important for Juvenile Courts?

Skilled, competent attorneys are necessary for all legal processes and court settings, but they are particularly important in juvenile and child protection settings. The attorney often drives the direction and speed of the case and allows for faster outcomes for the children involved.

Competent attorneys in juvenile court are attorneys who are prepared for their case and know where their clients are (legally, personally, and with the case) prior to stepping into the courtroom. A well-prepared attorney has the knowledge to properly advocate for their client's needs and wishes. Being well-prepared also allows the case to progress forward as the attorney does not need to ask for a continuance for lack of preparation.

Currently, many children are separated from their families and homes when they enter the court system through involvement with child protective services. Family separation is traumatizing for all members of the family, and that trauma is exacerbated by lengthy separations due to lengthy court processes. Avoiding unnecessary continuances helps reduce the amount of trauma for children and their families. Attorneys who are ready for court and meet with and advocate for their clients can help move the case along, reducing the amount of time families are separated. Attorneys can continue to help the case flow along the court's usual timeline – or even allow the case to move much faster - with proper advocacy. Reunification can happen by completion of the case plan and termination of child protective services custody, or by creative advocacy by a parent's attorney to reunite the family when appropriate. Skilled attorneys can also be proactive in mitigating the trauma that family separation causes by explaining the effects of trauma to the families they represent and being creative in solutions for contact and family involvement even when the household is separated.

The purpose of this toolkit is to provide juvenile courts with practical suggestions for recruiting and retaining a competent, committed pool of attorneys. Ohio is a non-unified court system and thus each county has their own local practices, and some are featured in this toolkit. The appendix features a multitude of newly developed resources for attorneys practicing child protection law. Several of the resources include ideas for forms in which courts can compile phone numbers and contact names for local services. Courts can print the appendix as a packet for new attorneys or can post as a PDF to the court's webpage. By providing attorneys with information about local case plan services, typical case timelines, and background information about child protection cases, courts will increase the number of competent attorneys.

## Onboarding 101

Onboarding: the process in which new employees are integrated into the workplace. Onboarding should emphasize the culture of the workplace and prioritize building social relationships.

### Onboarding Attorneys? We Have Local Rules. Isn't That Enough?

Do you remember your first few weeks of practice, and thinking that law school hadn't really prepared you to take a case? The goal of onboarding is to give newcomers to your court the information they need to acclimatize quickly. While it isn't the court's responsibility to give attorneys a formal orientation, an initial welcome with some gentle guidance in court procedure and culture can curb turnover and enhance competency. Further, new attorneys will appreciate making allies and gaining a support system at court. Local rules define the basic processes and procedures, but do not impart a full understanding of the workings of the court. Onboarding can be mutually beneficial to courts and attorneys and can fill gaps.

Onboarding should increase institutional and foundational knowledge quickly for attorneys that use your court. New attorneys need to build skills and foster relationships to succeed. Taking the initiative to onboard new attorneys increases the quality of work and timeliness of their work. The judges, court staff, and litigants benefit when an attorney is competent and familiar with court preferences. Likewise, attorneys will be more likely to continue in child protection law if they have early accomplishments and enjoy the collegiality at juvenile court. Starting an onboarding process at your court can increase retention of high-quality attorneys practicing children services law.

### Tips for Onboarding

**Staff introductions:** Inform your staff when a new attorney joins the public defender's office, appointment list, or prosecutor's office. Encourage your staff to introduce themselves and be helpful. If a judge or magistrate has time, offering a quick tour with introductions is a nice way to start. While a new assistant prosecutor may have a colleague to show them the ropes, new attorneys to the appointment list or new attorneys in private practice will not have the benefit of an insider to offer a tour. For larger jurisdictions with dozens of new attorneys a year, a quarterly "lunch and learn" for all the new attorneys may be a good alternative to meet key staff, the bench, and receive a tour of the courthouse. (See "It's Who You Know," in the appendix.)

**Sharing resources:** Every court and community has a unique set of resources for families. Attorneys who are new to town, or who have never had to avail themselves of such services, will have a steep learning curve. It can take years for an attorney to learn, for example, what mental health agencies offer EMDR (Eye Movement Desensitization and Reprocessing, a therapy used for trauma), which drug treatment facilities accept inpatient clients, or where a client can get free business attire for an interview or court appearance. If attorneys do not know these services exist, they cannot suggest them as case plan terms to help clients reunify with their children. The court can assist by providing a directory of local resources to attorneys. Informed attorneys can better counsel their clients about their options. In this way, the court can help link families with services to match their needs. (See “It’s What You Know,” in the appendix.) Remember to set a reminder to update the resource directory on a regular basis.

**Court culture:** Does your court have a process for checking in? Are court hearings scheduled for 10:30 a.m. expected to start exactly at 10:30 a.m.? How are motions filed? Should attorneys go straight into the courtroom when they arrive, or wait to be directed? Even veteran users of your court still likely make mistakes at times. Have a discussion with your court team to think these issues through. Decide how your court can disseminate this information to a new attorney.

**Colleague introductions:** Introduce the new attorney to the other attorneys on the case and encourage a seasoned attorney to take the new attorney under their wing. For example: “Mom’s attorney, are you on your way to mediation? Can you please show dad’s attorney where the mediation department is located?” “GAL, can you please explain the usual process in this county for participating in the semi-annual review to dad’s attorney? I think it may be different than the process in Franklin County.” If a new attorney seems overwhelmed by procedures, consider suggesting that they shadow an experienced attorney for a few days to become more familiar with courthouse-specific practices.

## Payment Rates and Fee Caps

Recruiting and training dedicated attorneys to children services practice may be a focus of area bar associations and juvenile courts. Monetary incentives may encourage experienced practitioners to continue in this area. Courts may consider working with county commissioners to adopt the [rate scale](#) as published by the Ohio Public Defender (OPD).

### OPD Standards for Reimbursement

The OPD Commission obtained a revision to Ohio Adm.Code 120-1-10, effective Dec. 1, 2015. For attorneys practicing juvenile delinquency law and seeking reimbursement from the OPD office, appointed counsel must meet education and experience requirements to qualify for state reimbursement. However, there are no training and experience requirements to be reimbursed for children services law.

### Maximum Rates of Reimbursement as Set by the OPD

OPD reimbursement for representation in juvenile proceedings shall be made based on the maximum rate of \$75.00 per hour for both in-court and out-of-court services.

### Juvenile Proceedings<sup>1</sup>

1. Reimbursement for representation in juvenile proceedings will be made based on the maximum rate of \$75.00 per hour for both in-court and out-of-court services.
2. Reimbursement will not be made for non-attorneys appointed as GAL.
3. In AND cases, both the attorney and the GAL may bill up to the maximum fee allowed by the county for the initial dispositional hearing and each subsequent annual review hearing before the court.

*The prescribed maximum fees permitted in juvenile level proceedings are:*

AND initial custody	\$1,500
AND annual after custody	\$1,500
Permanent custody	\$2,500
Contempt of court	\$500
Purge hearing	\$150

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<sup>1</sup> Ohio Public Defender's Office, [State Maximum Fee Schedule for Appointed Counsel Reimbursement in 2021](#), (ohio.gov), accessed September 29, 2021.

### Judicial Leadership in Setting County Rates for Children Services Cases

Judicial and court leadership may consider making presentations to the county commissioners or local bar association urging them to adopt a \$75 rate of pay for juvenile work and raise the fee caps in their county. Because there are no OPD experience requirements for the practice of children services law, counties may consider implementing their own system to encourage training and proficiency. For example, counties could employ a graduated-fee scale, setting a higher rate of pay for attorneys who show proof of completing annual children services specific legal training, who are also trained as GALs, or who agree to act as mentors to new lawyers. A graduated-fee scale based on training or merit would spark a higher level of competency, which will benefit both indigent parties and the court.

Judicial leadership may consider encouraging commissioners to adopt the same rate of pay for in-court and out-of-court time. In AND cases in particular, the out-of-court time an attorney spends with a parent or child explaining the process and learning about the needs of the family, will be well-spent. Attorney familiarity with the needs of the family can result in speedier resolution of the case and potentially, less time for a child in an out of home placement.

The number of available attorneys is an even greater problem for children services cases in small counties due to conflicts of interest. For example, if an attorney has previously served as a criminal defense attorney for one parent, they may be unable to serve as the attorney for the other parent in an AND case. A further consideration is the extensive proficiency and skillset needed to be an effective attorney or GAL in a children services case. Attorneys taking these cases must be versed in both litigation and complex children services law. Recruiting and maintaining well-trained, seasoned attorneys is more effective if the rate of pay and fee caps are commensurate with those needs.

Courts should educate county budget-setters about the demanding nature of children services practice. Respect for the nature of the work involved may result in increased fee caps and allowing for extraordinary expenses.

## Mentoring: How You Can Use It In Your Court

### Introduction to Mentoring

A mentoring program can help ensure families in your court receive competent and professional representation. For the new lawyer, mentorship provides the opportunity to get advice from an experienced attorney without judgment or worry. For the experienced attorney, mentorship provides an enhanced sense of professional purpose as well as the opportunity to think critically about one's own practice.

As the sponsoring court, your goal is to create a well-structured program that provides guidance to the pair to ensure that meetings happen, they are productive, and that they discuss all topics relevant to practice in your court. The following template provides guidance on items to address in your mentoring program.

The guidelines in the template below are drawn heavily from the Supreme Court of Ohio [Lawyer to Lawyer Mentoring Program](#). For new lawyers interested in participating in the program, please contact the Secretary to the Commission on Professionalism for eligibility requirements at 614.837.9317. The program provides continuing legal education (CLE) and matches attorneys by practice area. For new lawyers who are not eligible for the program, consider implementing your own mentoring program using the template. The background materials in the Lawyer to Lawyer Mentoring Program website will assist your participants.

To maximize the benefit of the mentoring relationship, integrate it with training or other events organized by the court or local bar. For instance, if you offer a training for attorneys practicing in your court, encourage mentors and new lawyers to attend together. Quarterly “mentoring circles” are another way to allow mentors and new lawyers to associate with others in similar stages in their careers.

## Mentoring Program Template

### Program Overview

Explain the overall goals of your court's mentoring program. Items to consider:

- How will this benefit the court? The mentor? The new lawyer?
- Is this a mandatory or an optional program?
- Guidelines. For example, the new lawyers must enter into a mentorship *before* taking their first case.
- Length of program. For example, the mentorship must be completed within one year from first meeting.
- The expected frequency and number of contacts between mentor and mentee.
- Introduction to areas of discussion.

#### EXAMPLE

The purpose of the Buckeye County Juvenile Court Mentor Program is to elevate the competence, professionalism, and success of attorneys through positive relationships. Mentorships promote collegiality among attorneys, encourage the use of best practices, and foster innovative ideas.

To be appointed to children services cases in Buckeye County Juvenile Court, attorneys must first agree to commence a mentorship immediately and complete it within one year. This court encourages participants to maintain a relationship with their mentor after the mentorship is complete.

## Mentor Eligibility

Outline the requirements to be a mentor. Consider the following sample language:

### EXAMPLE

To be an eligible mentor, you must:

- Be admitted to the practice of law not less than five years.
- Have represented families in children services cases in Buckeye County Juvenile Court for not less than three years.
- Be in good standing.
- Have a reputation for competence and ethical conduct.
- Be recommended by a judge or magistrate in Buckeye County Juvenile Court.
- Never have been suspended or disbarred from the practice of law in any jurisdiction, nor have voluntarily surrendered your license to dispose a pending disciplinary proceeding.
- Not have been otherwise sanctioned in any jurisdiction during the 10 years preceding your nomination as a mentor.
- Not have a formal disciplinary complaint pending before the Supreme Court of Ohio.

## New Lawyer Eligibility

Outline the requirements to be a new lawyer. Consider asking new lawyers to agree to take a minimum number of cases to ensure your court benefits from the program.

### EXAMPLE

To be eligible to participate in the mentoring program, the new children services attorney must be:

- Admitted to practice law and in good standing.
- Anticipate in good faith to represent parties in children services cases in Buckeye County Juvenile Court for a period of no less than three years.



## Program Requirements

Outline the requirements for the mentorship, including:

- Number and type of contacts
  - The Lawyer to Lawyer Mentoring Program requires a minimum of six meetings totaling nine or more hours, and provides CLE for the mentor and mentee<sup>2</sup>.
  - Consider whether you want to require in-person meetings or will allow online meetings.
  - Consider a requirement to attend hearings.
- Activities to complete
  - The Lawyer to Lawyer Mentoring Program supplies specific worksheets and other guidance you can consult for ideas.
  - A less structured program is suggested since CLE is only offered for the Lawyer to Lawyer program, or coordinate with the Lawyer to Lawyer mentoring program. The Lawyer to Lawyer program's registration and mentoring cycles are based on the admission of new attorneys in May and November, when the admissions ceremonies are held for those who pass the February and July bar examinations, respectively.
- Areas of Discussion
  - Provide guidance to the participants. Identify broad topics the pair should explore and provide any specific items in checklists or worksheets.

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<sup>2</sup> The mentor receives 12 hours of CLE (9.5 general plus 2.5 professional conduct) upon completion and the mentees receive 9 hours of New Lawyer Training.

### EXAMPLE

The Buckeye County Juvenile Court Mentor Program requires the mentor and new lawyer to meet a minimum of four times over the course of a twelve-month period. At least two of the meetings should be in person when reasonable.

At the first meeting, the mentor and new lawyer must create a mentoring plan that outlines the goals of the mentorship. At each subsequent contact, the mentor and new lawyer will select at least one discussion topic, experience, or activity from each topic for discussion listed below to help guide their conversation. Every contact should include an inquiry as to whether the new lawyer has any questions regarding substantive law, procedural issues, and any ethical concerns. The topics for discussion are meant to launch the conversation and do not limit other topics from the dialogue.

Topics for discussion include:

- Local practice in Buckeye County Juvenile Court.
- Statutory framework for children services practice.
- Rules of juvenile procedure.
- Professional conduct and personal development.
- Relationship building and relations with families.
- Court operation and caseload management.

While not required, it is *strongly recommended* that the mentor and new lawyer shadow each other during hearings in which they represent parties in Buckeye County Juvenile Court at least once during the mentorship.

## Initial Meeting Outcomes

The first meeting sets the stage for the relationship, so it is important to provide enough guidance that both participants make good use of the time.

### EXAMPLE

During the first meeting, the mentor and new lawyer should discuss their backgrounds and experiences. This helps the mentor understand the expertise the new lawyer brings to children services practice as well as areas in need of development or improvement.

The new lawyer should share their expectations and goals for the mentor relationship over the next twelve months. The new lawyer's goals may be professional or personal in nature but should be realistic to accomplish during the year-long program.

Together, determine the arrangement that best suits both parties' professional relationship and work schedule. The mentor and new lawyer should identify their preferred method for contacting one another and discuss the importance of confidentiality. Please note that no attorney-client privilege exists with this relationship.

The mentor and new lawyer should complete the following during their initial meeting:

- Discuss the new lawyer's background and identify any "practice gaps" that need to be addressed over the course of the mentorship.
- Identify the new lawyer's most pressing learning needs.
- Complete the mentoring plan (see below).
- Schedule the next contact and determine what topics for discussion to address.

## Mentoring Plan

A [sample mentoring plan](#) can be found on the Supreme Court of Ohio website. This plan could be adopted or adapted by your court to fit the needs of the mentor/mentees and the court.

The mentor and new lawyer must complete the mentoring plan within 60 days of the mentor assignment. Periodically throughout the year, both participants should review and update the mentoring plan to ensure progress. Upon completion of the 12-month period a certificate of completion, signed by the mentor and the new lawyer, must be submitted to the Buckeye County Juvenile Court.

## Informal Mentor Activities

Because every mentor relationship should be tailored to the individual needs and goals of the new lawyer, the Buckeye County Juvenile Court Mentor Program provides mentors and new lawyers latitude in selecting the activities within the topics of discussion. However, at a minimum, all mentors should do the following:

- Demonstrate that every lawyer continues to learn the law and discuss the importance of CLE.
- Encourage the new lawyer to reach out to other practitioners with varied viewpoints and explore differing philosophies.
- Provide a blend of substantive law and procedural information.
- Emphasize the need for a lawyer to be comfortable with their own style and to establish their own identity.
- Encourage observations of both courtroom work and administrative activities.
- Assist the new lawyer in finding resources and access to “informal networks.”
- Provide challenging opportunities for the new lawyer to prove their developing skills.
- Model behaviors and attitudes in the new lawyer.
- Increase the new lawyer’s visibility and recognition.
- Encourage the new lawyer to reflect on their experiences and how they are contributing to both professional and personal growth.
- Encourage the new lawyer to become involved in appropriate professional associations.

## How To Be an Effective Mentor

*Mentoring is a brain to pick, an ear to listen, and a push in the right direction.*

*- John Crosby*

### Essentials to Building a Mentor Relationship

While every mentee-mentor relationship is unique, there are three basic components that serve as the foundation for a successful connection.

1. **Trust:** Trust is the key to building any successful relationship. It is essential that your mentee is confident that your conversations will be kept confidential. Trust takes time to develop. Lay the groundwork at the very beginning to put your mentee at ease.
2. **Listen:** Active listening helps establish an accepting environment that is conducive to open communication. An open dialogue helps build rapport with the mentee. A mentor's responsibility is just as much about listening as it is about asking thought-provoking questions. Make sure to share your own personal experiences and mistakes made along the way. Emphasize that no question is foolish.
3. **Encourage:** A mentor is there to provide support when the mentee is frustrated or challenged by new obstacles. A mentor should be engaged and focused during the dedicated time with the mentee, providing feedback, advice, and guidance where appropriate.

### Stages of a Mentorship

1. **Build the Relationship & Define Goals**
  - During the initial phase of your mentor relationship, you and your mentee are building rapport and identifying the expectations for the next year.
  - At the initial meeting, you will focus on getting to know one another and discuss what the mentee hopes to gain from the mentor relationship. The individualized mentoring plan will assist you in describing goals and setting expectations.
  - Reiterate to the mentee that questions are welcome; they are not being a burden or a pest by frequent communication.
2. **Work on Achieving Goals and Strengthening the Relationship**
  - Select activities or discussions that help your mentee reach the goals they identified in the individualized mentoring plan. Schedule your quarterly meetings to maintain regular contact with your mentee.

- Be intentional about finding learning opportunities that support your mentee's goals.
- Devote a portion of each meeting to discuss specific issues that the mentee is having and provide objective, but positive feedback.
- Make yourself available when the mentee reaches out for guidance and support. If you have not heard from your mentee for an unusually long period of time, take the initiative to reach out.

### 3. Ending the Mentor Relationship

- While the formal nature of the relationship may end, mentors are encouraged to remain in contact with their mentees, on an appropriate basis. Take time to celebrate the successes you have had together and bring the relationship to an appropriate closure.
- If you both decide to continue an informal relationship, make sure to discuss what ongoing support your mentee may need, as well as revised expectations for communication.

## Challenges to the Mentoring Relationship

- **Lack of Time & Competing Priorities:** Make your mentor relationship a priority, but do not overpromise on what you can provide your mentee. It is important to agree on the frequency and preferred method of contacts. Do your best to stick to your scheduled dates and reschedule any cancelled appointments in a timely manner.
- **Not Having All of the Answers:** A mentor is expected to be a knowledgeable resource, but they are not expected to have or even provide an answer for every problem or question that may arise. The mentor should direct the mentee to available resources and other colleagues that are able to assist. It is important that the mentee not become overly reliant on the mentor for problem solving assistance.
- **Honor Differences:** As you share experiences and background, there will be both similarities and differences. It is imperative that mentors work to understand and discuss differences up front so that both parties feel comfortable in the relationship.

## The Art of Asking Questions

Communication is central to a successful mentoring relationship. Being able to facilitate a dialogue is essential to building a rapport with your mentee. Ask thought-provoking and open-ended questions that prompt discussion. As an active listener, ask appropriate follow-up questions. The mentor should also routinely ask the mentee reflective questions so that the mentor is able to see the progress made over the course of the relationship. Often, the mentee will discover the answer to their own questions through an effective conversation with a mentor.

### Questions to Ask Your Mentee at the Beginning of the Mentor Program

- What do you hope to achieve from this experience?
- How do you see yourself growing over the next year?
- What skills or knowledge do you hope that you will gain from this mentoring relationship?
- What do you think will be the most challenging and most rewarding for you?

### Questions to Ask Your Mentee at the End of the Mentor Program

- Did you achieve what you had hoped to from this experience?
- How have you grown as a lawyer?
- What skills or knowledge did you gain from this mentoring relationship?
- What was the most challenging and most rewarding for you?



#### Additional Mentoring Resources

- [Mentor Everywhere](#)
- [Mentor: The National Mentoring Partnership](#)
- [TED Talks](#)
- [University of New Mexico Mentoring Institute](#)

### Lawyer to Lawyer Mentoring Program

**Q:** Can this mentoring relationship also count toward the Ohio Supreme Court [Lawyer to Lawyer Mentoring Program](#)?

**A:** Yes. According to the Court:

If there is mutual interest in a mentoring relationship, the new lawyer should submit a [New Lawyer Application electronically online](#) and the mentor should submit a mentor application. Likely, the mentoring match will likely be approved, depending on when the applications are received and when the next mentoring cycle starts.

See the Supreme Court of Ohio [mentoring materials](#) for more information.

## How To Offer a Court Sponsored Training

### Training Goals

When you begin planning a training, start with your goals and ask if training is the answer. For instance, if your goal is to reduce filing mistakes, perhaps a warning or increased penalty will achieve the goal more efficiently. Similarly, minor changes to your local rules may be better suited for an email than a training.

Generally, courts may achieve three goals through training. First, it is an opportunity to share information. Second, is a chance to build skills. And third, it is a chance to build a community between attorneys, court staff, and other interested parties. Keep all three in mind as you design training.

Consider a situation where the court made extensive changes to local rules. A lecture may achieve the goal of sharing information. However, if you design a lecture, accompanied by a Q&A session and interactive group work, participants will be able to apply their knowledge and build their skills. When participants work as a group, they share ideas and begin to build a community of problem solvers.

### Training Model

There are several models that promote adult learning. One of the most well-known models is [ADDIE](#):

- [Analyze](#): the first step is to ask, “do we need training?” and if so, define the scope.
  - Identify the learning goals.
  - Identify the goals of the education and the learning objectives for participants.
  - Identify the audience’s needs, existing knowledge, and any other relevant characteristics.
  - Consider the learning environment.
  - Identify any constraints.
  - Assess the delivery options.
  - Identify the timeline for the education.
- [Design](#): specify the learning objectives and determine content.
- [Develop](#): assemble, create, or produce the content and learning materials based on the design phase.
- [Implement](#): put the plan into action and use the processes or procedures from the development phase.



- **Evaluate:** assess the content, design, and delivery. Gather feedback from learners.

[Additional information](#) about instructional design for adults can be found at this link from the National Association of State Judicial Educators.

### Recruiting Faculty

When recruiting faculty to deliver court sponsored training, look first to your own court. Courses taught by judges, magistrates, or experienced attorneys who practice in your court will be more impactful for attendees because you will be able to discuss local practice. In addition, you will naturally build professional relationships that will benefit everyone involved.

If a topic requires outside expertise, there are a variety of places to search for qualified faculty. Often the best recommendations come via word of mouth. Ask attorneys and judicial officers if they have seen the topic addressed at recent conferences they have attended. Additionally, organizations that develop similar education may offer past conference agendas online that you can review for ideas. See “Available Trainings and Mentoring Opportunities” in the appendix for more information.

### Teaching Methodologies

Lectures are by far the most common type of CLE, but lecture alone can make learning difficult. Combine methodologies to make a long training session more engaging and enjoyable. Consider including the following methodologies in your course:



- Lecture.
- Active lecture with structured notetaking.
- Panel.
- Debate.
- Self-study.
- Group discussion.
- Individual activity.
- Question and answer.
- Demonstration.
- Simulation or role play.
- Case study or hypothetical.


### Materials

CLE materials should contain the material covered in the program as well as reference materials attendees can refer to later. Consider creating outlines, checklists, forms, and other practice aids to help attorneys find information quickly and meet the court’s expectations.

## Registration and Evaluation Tools

Using an online tool for registration and evaluations will save staff time they might otherwise spend on the phone with registrants or processing paper and email confirmations.

There are many free and simple online tools you can use for registration and post-course evaluations. All have simple and intuitive interfaces, free options, download responses to spreadsheets, and many have templates to get you started.



- [Google Forms](#) (registration and evaluation templates)
- [Survey Monkey](#) (designed primarily for surveys and evaluations but can do registration)
- [EventBrite](#) (designed primarily for event registration but can do evaluations)
- [SignUpGenius](#) (designed primarily for event registration but can do evaluations)

## CLE Credit

- Before you apply for CLE credit, review the [Information for Sponsors](#) page on the Supreme Court website.
  - Applications are due 60 days in advance of the program.
  - Application fees are \$25.
    - An additional late fee of \$100 is assessed for programs submitted less than 60 days prior to the program.
  - Forms are also available on the [Supreme Court's website](#). Most live in-person activities require [Form 6](#). See also the accompanying [Form 6 instructions](#).
  - Generally, your application must include:
    - ☐ Form 6, completed.
    - ☐ Time schedule or agenda.
    - ☐ Course description.
      - Concise, but must clearly demonstrate value as legal education.
    - ☐ Faculty names and credentials.
      - A biographical paragraph will suffice.
    - ☐ Evaluations.
- See [CLE Regulation 406](#) for further standards.

## Recruiting Attorneys to the Public Appointment List

### Incentives

To recruit competent attorneys to appointment lists, counties might consider incentivizing attorneys who are registered with county appointment lists to participate in specific, child protection law related trainings for CLE or GAL CLE credit for free or low cost. This approach achieves multiple goals at once as attorneys already registered with the appointment list will be trained even more to competently serve and advocate for children and families, while interested attorneys might consider registering with the appointment list to save on the cost of expensive CLE trainings.

### Great Trainings

Trainings should be brief to accommodate busy attorney schedules. Attorneys should also leave trainings with ample resources and references that they can effectively utilize in their own cases to feel confident and efficient in the work they do. Juvenile courts should clearly articulate what they may require that is above-and-beyond minimums for trainings set by statute or the Rules of Superintendence for the Courts of Ohio. For example, a county with a large Native American population might require specific training for Native American cultural competency or Indian Child Welfare Act training.

### Rotating Appointment

Counties should use a rotating appointment system as opposed to a random appointment list. A rotating appointment list ensures a more even distribution of caseloads amongst attorneys on the list. However, in cases where attorneys with specific experience might be better suited, the county is encouraged to try to appoint the better equipped attorney first before appointing the next attorney in the rotation list.

### Fair Compensation

Attorneys deserve to be paid well for this important work. Competitive rates will draw more attorneys to the children services field. Courts may consider working with county commissioners to adopt the [rate scale as published by the OPD](#). Governor DeWine and the Ohio General Assembly allocated approximately \$336 million dollars in the Biennial State Budget to reimburse counties for indigent defense costs for fiscal years 2022 and 2023 (July 1, 2021 – June 30, 2023). This level of funding for indigent defense is unprecedented in Ohio. At this time, the OPD estimates that the allocated funding will permit the OPD to reimburse counties at an average reimbursement rate approaching 100%.

Because of the high level of reimbursement, courts may consider offering higher hourly rates as incentive for those attorneys who engage in substantial training activities as designated by the court. This approach may prove helpful for counties that struggle to attract private attorneys to their juvenile court appointed lists.

### Court-Specific Orientation

Even with the most up-to-date legal training on child protection cases, attorneys who are new to your court may not understand local practices or protocols that are not contained in the local rules. Requiring new attorneys to participate in a brief orientation session or pairing them with a seasoned attorney for a short period of time may help them transition to your court.

### Certification as a Specialist

Attorneys who practice in the field of child welfare law may seek certification from the National Association of Counsel for Children (NACC) as a specialist in that field. The [Child Welfare Law Specialist \(CWLS\) certification](#) process is available to attorneys in good standing who have spent three years substantially involved in the practice of child welfare law. The credential requires an application, an examination, and an application fee. The CWLS certification recognizes highly qualified attorneys with verified child welfare expertise as leaders in the field to assist in cases involving the safety and well-being of children. Judges can encourage attorneys to seek certification and offer to be a reference for the application. At least one judicial reference is required to attest to the applicant's competence in child welfare law. The Supreme Court of Ohio's [Commission on Certification of Attorneys as Specialists](#) regulates certification of attorneys as specialists.

## Elements of a Local Rule

### Local Rule Requirements

Sup.R. 8(B) requires all courts to adopt a local rule governing the appointment of private attorneys made in that court. Those appointments must be based on an equitable (not equal) distribution system, must be reviewed periodically to ensure appointments are distributed equitably, and must address compensation, if it is otherwise not addressed by the Ohio Revised Code or Supreme Court rule.

While Sup.R. 8(B)(2)(a) indicates “[t]he court or division may maintain separate lists for different types of appointments,” it is advisable that juvenile courts with specific training and experience requirements have their own appointment lists to ensure the qualifications of counsel and to ensure the reimbursement of fees from the Ohio Public Defender.

Pursuant to Sup.R. 8(B)(2), a court may also address attorney qualifications established by the court, provide the process for being added or removed from the appointment list, and address other appropriate considerations.

Likewise, Sup.R. 48.07 also requires the court to maintain a list of approved GALs and have procedures in place to ensure an equitable distribution of cases among those guardians. Rule 48.07 also requires the court to have a process for receiving written comments and complaints regarding the performance of guardians, to perform an annual review of the guardian list to ensure compliance with training requirements under Sup.R. 48 and the court’s local rules, and to determine if GALs have performed satisfactorily on all assigned cases during the prior calendar year. Because of the similarity in requirements between Sup.R. 8 and Sup.R. 48, courts should consider including GAL information in their local court rules.

As highlighted below, courts should also strongly consider adopting separate appointment lists for attorneys representing parents and children in child protection cases. These lists could include the same annual evaluation requirements as those required of GALs and address appropriate training and practice requirements.

### Training and Education

Courts should strive to move away from idea that juvenile courts and child protection cases are a training ground for new attorneys. This begins by requiring ongoing training and education commensurate with the significance of child welfare cases. Training and experience requirements for private attorneys representing juveniles in delinquency cases is addressed under the Ohio Public Defender Commission section of the Ohio Administrative Code (Ohio Adm.Code 120.10). Training standards and requirements for GALs have been promulgated

by the Supreme Court of Ohio in Sup.R. 48. Neither of these address the training or education requirements for attorneys representing parents in child protection cases. Currently there are no standards for attorneys representing parents. In crafting a local rule, courts presiding over child protection cases should consider addressing the proficiency of these attorneys.

Significant educational resources are available to attorneys, and CLE credit is available for many of these course offerings. For training and CLE opportunities, see the Available Trainings and Mentoring Opportunities section of the Appendix for more information.

Courts should also review the experience requirements for attorneys representing children in delinquency matters and consider adopting similar attorney experience standards for cases that proceed to the permanent custody phase of litigation. Like delinquency cases, the seriousness of outcomes should be considered when appointing an attorney in a child protection case where termination of parental rights is at stake.

### Method of Appointments

The training and experience requirements for the varying complexity of delinquency cases necessitate multiple lists of qualified attorneys from which appointments may be made. It is recommended that a separate list for attorneys representing parents be used by courts. This approach allows courts to easily adopt the necessary training requirements needed for proficiency in child protection cases.

As suggested above, a secondary list for cases that reach the permanent custody stage may also be created, requiring higher training or experience standards for those attorneys, and ensuring a higher quality of legal representation in those actions.

### Evaluation of Appointed Attorneys

As indicated above, Sup.R. 48.07 requires an annual review of the attorneys who comprise the GAL appointment list in your court. Having this practice outlined in the local rule for all attorneys who accept appointments in delinquency matters and child protection matters can help raise the proficiency of those attorneys. The evaluation process can focus on gaps in experience and training that may present themselves during a hearing. By having a system in place to provide documentation of those gaps and training needs at the time of hearing, the court can provide a better evaluation process for appointed attorneys. The court can also request or provide additional training opportunities or suggestions to appointed counsel to remedy those gaps.

The evaluation process can also help address the common shortfalls in quality legal representation. These include general preparedness for hearings (filing for discovery, filing subpoenas, meeting regularly with clients, and discussing outstanding issues with other attorneys and parties to the case prior to appearing at court), staying up to date with relevant state and local rules and statutes, appearing timely for court hearings, and filing pleadings timely.





# Appendix

## *Resources for Courts to Provide to Attorneys*

### Purpose of the Appendix

Juvenile court judges may use materials in this appendix to educate practicing juvenile court attorneys and those they wish to recruit to the field of children services law. The materials can also be placed on the court's own website for ease of distribution. All of the following the materials can be modified by the courts to fit their local rules and services.

This packet is not meant to replace the current education, training, mentoring, and research that all lawyers must endeavor to obtain. However, the materials in this appendix may be valuable as supplemental materials to help attorneys gain confidence in the practice of children services law.



## Caseflow and Timelines of AND Cases

Ex Parte/ Emergency Custody Hearing R.C. 2151.33(D)	1 day (same day).	<ul style="list-style-type: none"> <li>Reasonable efforts.</li> <li>If temporary custody to the Public Children Services Agency (PCSA) is in the best interest of the child.</li> </ul>	<p>Reasonable grounds to believe that:</p> <ul style="list-style-type: none"> <li>The child is suffering from illness or injury and is not receiving proper care; OR</li> <li>The child is in immediate danger from their surroundings; OR</li> <li>Another child in the household has been abused or neglected by a parent, guardian, custodian, or other household member; OR</li> <li>The child has run away; OR</li> <li>The conduct, conditions, or surroundings are endangering the health, welfare, and safety of the child; OR</li> <li>The child may abscond or be removed from the jurisdiction; AND</li> <li>The removal is necessary to prevent immediate or threatened physical or emotional harm.</li> </ul>
Shelter Care R.C. 2151.33(D)	2-3 days.	<ul style="list-style-type: none"> <li>Reasonable efforts.</li> <li>If temporary custody to the PCSA is in the best interest of the child.</li> </ul>	<ul style="list-style-type: none"> <li>Make a shelter care determination.</li> <li>Assess relative and/or kin placement option(s).</li> <li>Make any other temporary orders.</li> <li>Set adjudication and disposition hearing dates.</li> </ul>
Adjudication R.C. 2151.28(A)	30-60 days.	<ul style="list-style-type: none"> <li>Reasonable efforts.</li> <li>Adjudication (clear and convincing evidence of AND).</li> <li>If temporary custody is granted to the PCSA it is in the best interest of the child.</li> </ul>	<ul style="list-style-type: none"> <li>Make a shelter care determination.</li> <li>Follow strict compliance with the rules of evidence.</li> <li>Voluntary admissions may be accepted.</li> <li>If allegations are denied, proceed to trial.</li> <li>If the child is adjudicated the court must provide written findings of fact and conclusions of law.</li> <li>If all parties agree to waive time proceed to dispositional hearing.</li> <li>Disposition must occur within 90 days of the filing of the complaint.</li> <li>Journalize the entry within 7 days of the hearing.</li> </ul>

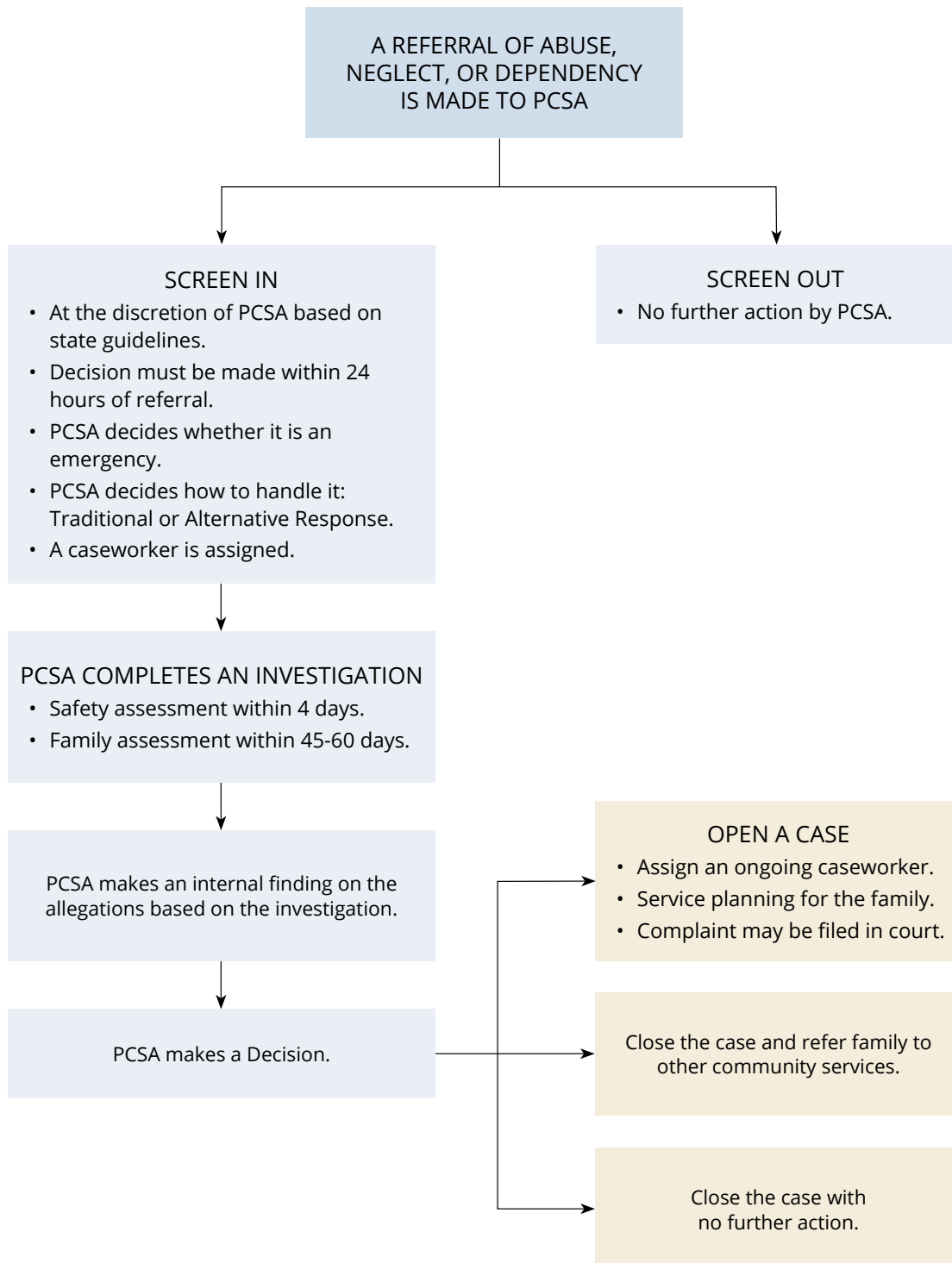
	Timeline	Finding Needed	Additional Information
Disposition R.C. 2151.35(B)	90 days (court may give up to 45 additional days for good cause).	<ul style="list-style-type: none"> <li>• Reasonable efforts.</li> <li>• Disposition.</li> <li>• Best interest of the child.</li> <li>• Determine that the GAL submitted a written report 7 days prior to hearing.</li> </ul>	<ul style="list-style-type: none"> <li>• Disposition must be held within 30 days of adjudication.</li> <li>• If seeking temporary or permanent custody (PC), make sure rights and consequences are explained in summons and provide notice and service.</li> <li>• Journalize the case plan.</li> <li>• Formalize any treatment and testing orders, parenting time, child support, restraining orders, and education orders.</li> <li>• Journalize the entry within 7 days of the hearing and advise the parties of their right to appeal.</li> <li>• Schedule the review hearing.</li> </ul>
Case Reviews (Administrative) Ohio Adm.Code 5101:2-38-09	90 days from the day the report was accepted by the PCSA.	N/A	<ul style="list-style-type: none"> <li>• Completed by the PCSA.</li> <li>• No court review necessary.</li> </ul>
Semi-Annual Reviews (Administrative) R.C. 2151.416	180 days from the date the report was accepted by the PCSA.	N/A	<ul style="list-style-type: none"> <li>• PCSA completes and is required to file with court.</li> <li>• Many courts choose to have a judicial review at this time.</li> </ul>

	Timeline	Finding Needed	Additional Information
Annual Review R.C. 2151.417	Within 12 months from complaint.	<p>Findings should be written, specific, and individualized:</p> <ul style="list-style-type: none"> <li>• Determine if the agency made reasonable efforts to finalize the permanency plan.</li> <li>• Prevent the removal, eliminate the continued removal, or make it possible for the child to return home safely OR if there is a documented compelling reason permanent custody is not in the child's best interest.</li> <li>• Determine if child can go home with or without protective supervision.</li> <li>• Determine if any changes in custody status would be in the best interest of the child.</li> <li>• If the child is placed out of state, determine that it is in the child's best interest.</li> <li>• Review independent living services if child is over 16.</li> </ul>	<p>Consider whether extension, termination, or modification of the dispositional order was filed or is needed.</p> <p>If a child has been in PCSA custody 12 or more out of the past 22 consecutive months, the agency shall file a motion for PC unless they:</p> <ul style="list-style-type: none"> <li>• Failed to make reasonable efforts to provide case plan services or ensure a safe reunification when ordered to do so; OR</li> <li>• The agency documented a compelling reason that permanent custody if not in the child's best interest.</li> </ul> <p>Review appropriateness of child's placement.</p> <p>Determine the extent of familial case plan compliance.</p> <p>Project the likelihood of reunification or permanency within the next 6 months.</p>

	Timeline	Finding Needed	Additional Information
Modification of Disposition R.C. 2151.353	Any time after original disposition order is made.	<ul style="list-style-type: none"> <li>• Determine if child can and should go home with or without protective supervision.</li> <li>• If child cannot return home, review custody/ placement</li> <li>• Reasonable efforts.</li> <li>• Best interest.</li> <li>• Disposition.</li> </ul>	<ul style="list-style-type: none"> <li>• If the court is considering a modification of the disposition, proceed as if an original disposition hearing.</li> <li>• Ensure GAL was appointed/re-appointed.</li> </ul>
Special Provisions for Permanent Custody R.C. 2151.413	Any time after disposition, but permanency is required to be examined at the one-year mark.	<p>Determine by clear and convincing evidence that:</p> <ul style="list-style-type: none"> <li>• PC is in the child's best interest.</li> <li>• Determine if the GAL submitted a written report 7 days prior to hearing.</li> <li>• Reasonable efforts.</li> <li>• Disposition.</li> </ul>	<ul style="list-style-type: none"> <li>• Motion heard within 120 days of filing.</li> <li>• Decision made within 200 days of filing.</li> <li>• Advise the parties of their right to an appeal.</li> <li>• Journalize the entry within 7 days of hearing.</li> <li>• Set a review hearing within 12 months.</li> <li>• If PC was granted, biological parents no longer need to receive notice of review hearings.</li> </ul>
Sunset Motion(s) R.C. 2151.415(D)	<ul style="list-style-type: none"> <li>• Before the one-year mark from date of complaint or child's placement in PCSA custody for first extension or termination.</li> <li>• Prior to the end of the of the first extension for the second extension.</li> </ul>	<ul style="list-style-type: none"> <li>• The court shall determine by clear and convincing evidence whether the extension is in the best interest of the child, if there has been significant progress of the case plan, if there is reasonable cause to believe reunification with one of the parents or the child can be permanently placed within the period of extension.</li> <li>• Reappoint the GAL.</li> </ul>	<ul style="list-style-type: none"> <li>• A party may file a motion to extend protective supervision or temporary custody for 6 months or terminate the order no later than 1 year after the filing of the complaint/child's placement in agency care.</li> <li>• The court may extend or terminate the dispositional order without a hearing.</li> <li>• Prior to determination of the extension a party may file a request for a second extension of 6 months or termination of the order.</li> <li>• The court shall terminate the order at the end of the second extension.</li> <li>• Maximum case length is two years but does not divest court of their jurisdiction.</li> </ul>

	Timeline	Finding Needed	Additional Information
Review of Permanent Custody R.C. 2151.417(C)	Every year (within 12 months) after PC is granted until permanency finalized.	<ul style="list-style-type: none"> <li>• Determine if custodial agency is taking steps to facilitate an adoption.</li> <li>• Review and issue orders regarding the condition or custody of the child, if any.</li> <li>• Review sibling placement and promote keeping siblings together, when possible, unless it is contrary to the health and welfare of the child.</li> <li>• Reappoint GAL.</li> </ul>	

## Public Children Services Agency (PCSA) Intake Process





## Child Protection Cases - Case Events

Shelter Care/ Probable Cause	<p>Purpose – to determine whether child should remain out of the home and/or whether there is probable cause for the case to continue.</p> <ul style="list-style-type: none"> <li>• Must be held within 72 hours of the removal of the child from their home.</li> <li>• A sworn complaint alleging abuse/neglect/dependency must be filed.</li> <li>• Parents must be notified of the hearing.</li> <li>• Parents must be notified of their right to counsel.</li> </ul>
Family Case Plan Meeting	<p>Purpose – to create a clear and specific guide for the family and caseworker with the goal of changing the behavior that led to the abuse, neglect, or dependency.</p> <ul style="list-style-type: none"> <li>• The case plan is developed with the family pursuant to Ohio Adm.Code 5101:2-38-05.</li> <li>• The case plan contains services and activities for the family, how the caseworker will assist, how progress will be measured, and visitation and monitoring requirements.</li> <li>• Due 30 days from the first of: the filing of the complaint, the removal of the child, prior to the adjudicatory hearing.</li> </ul>
Adjudicatory Hearing	<p>Purpose - to determine whether the child was abused or neglected or is a dependent child.</p> <ul style="list-style-type: none"> <li>• Held within 30 days of the complaint.</li> <li>• Temporary orders issued for safety.</li> <li>• Judicial officer makes written findings.</li> </ul>
Dispositional Hearing	<p>Purpose – to decide what will be done in response to the situation.</p> <ul style="list-style-type: none"> <li>• Ensure the child's best interest.</li> <li>• Held within 90 days of the complaint.</li> <li>• The PCSA creates a family case plan to reunify the family.</li> </ul>
Case Review	<p>Purpose – to review the impact of services and activities on factors that contributed to the complaint being filed.</p> <ul style="list-style-type: none"> <li>• The PCSA must hold this review internally every 90 days pursuant to Ohio Adm.Code 5101:2-38-09.</li> <li>• Courts holds case review hearings at its discretion, but at least at the one-year mark, to review placement.</li> </ul>

Semi-Annual Review	<p>Purpose – to review of case progress, placement changes, the permanency goal and permanency planning, the child’s well-being, and independent living services.</p> <ul style="list-style-type: none"> <li>• The PCSA is required to invite the parties to attend this federally required review every six months pursuant to Ohio Adm.Code 5101:2-38-10.</li> <li>• PCSA must file their Semi-Annual Review with the court.</li> </ul>
Reunification Assessment	<p>Purpose – to review and document past and present safety and assesses reunification readiness.</p> <ul style="list-style-type: none"> <li>• Completed by PCSA when a child has been out of the home more than 30 days and reunification is being considered.</li> <li>• Extension of Temporary Custody or Protective Supervision.</li> <li>• PCSA files 30 days prior to the expiration of the order, which is one year from the complaint/shelter care.</li> <li>• No more than two six-month extensions.</li> </ul>
Permanency Hearing	<p>Possible outcomes – a finding that the order is in the best interest of the child is a required finding for ALL permanency options.</p> <p>Reunification/Termination of Protective Orders</p> <ul style="list-style-type: none"> <li>• Motion can be filed by any party.</li> </ul> <p>Legal Custody</p> <ul style="list-style-type: none"> <li>• Motion can be filed by any party.</li> <li>• Parents still maintain the right to visit, pay child support, and determine the child’s religious affiliation.</li> </ul> <p><b>Termination of Parental Rights</b></p> <ul style="list-style-type: none"> <li>• Motion can be filed by PCSA or GAL.</li> <li>• Hearing must be held within 120 days of the motion.</li> <li>• Order must issue within 200 days of the motion.</li> <li>• Occurs when one of the factors in R.C. 2151.414(B) are proven by clear and convincing evidence, plus best interest of the child.</li> </ul>

## It's Who You Know

### Court and Children Services Personnel

*Provide contact information for the following:*

#### At the court:

- Family drug court coordinator (schedules parents for treatment court assessments).
- Clerk for AND matters (accepts and docket court filings).
- Probation chief (for court-involved juveniles).
- Diversion officer (for juveniles new to the court system, familiar with juvenile resources).

#### At Job and Family Services:

- Intake supervisor (leads team managing children services referrals).
- Ongoing supervisor (leads team working with family following complaint filing).
- Foster/adoption supervisor (leads team working with foster and adoptive families).
- Workforce development worker (job assistance and training).
- Public assistance workers (SNAP, WIC, cash assistance, childcare, Medicaid, etc.).

## It's What You Know

### Local and State Resources for Clients

*Provide contact information for the following resources:*

#### Local resources:

- Drug and alcohol treatment (inpatient and outpatient programs).
- Alcoholics and Narcotics Anonymous meetings.
- Mental health services.
- Food bank/other nutrition assistance programs.
- Furniture and clothing assistance.
- Shelter services (including for domestic violence victims).
- Free clinic.
- Legal aid.
- Juvenile diversion program.
- Teen parent support.
- Salvation army.
- Christmas help.

#### State resources:

- [Ohio Benefits](#) – Apply for Medicaid, cash assistance, childcare assistance.
- [Legal Assistance](#) – License reinstatement, grandparent issues, eviction, legal forms.
- [Ohio KAN](#) – Kinship and Adoption Navigator.
- Ohio Suicide Prevention Foundation.
  - Crisis - Text '4HOPE' to: 741-741
  - Crisis Hotline: 1-800-273-8255

## Best Practice Guidance for Ohio Attorneys

### Best Practice Guidance for GALs

Practice tips are available at the “[Superior Court of the District of Columbia Child Abuse and Neglect Attorney Practice Standards](#),” developed in 2003 by the Family Court Panels Committee in Washington, D.C.

Practice tips are available at “[Standards of Practice for Parents’ Lawyers, Guardians Ad Litem, and Legal Counsel practicing Child Welfare Dependency Cases in Pennsylvania](#),” developed in 2011 by the Pennsylvania State Roundtable’s Legal Representation Workgroup.

Responsibilities are enumerated in [Sup.R. 48](#). The Rules can be found at this link in their entirety.

### Best Practices for Lawyers Representing Parents with Diminished Capacity

Attorney responsibilities are enumerated in the “[North Carolina Commission on Indigent Defense Services’ Performance Guidelines for Attorneys Representing Indigent Parent Respondents in Abuse, Neglect, Dependency or Termination of Parental Rights Proceedings at the Trial Level](#).” Guideline 1.5 focuses on clients with diminished capacity.

See also, [Prof.Conduct R. 1.14](#) and [Civ.R. 17](#).

### Best Practice Guidance for Children’s Attorneys

Practice tips are available at “[Standards of Practice for Parents’ Lawyers, Guardians Ad Litem, and Legal Counsel practicing Child Welfare Dependency Cases in Pennsylvania](#),” developed in 2011 by the Pennsylvania State Roundtable’s Legal Representation Workgroup.

### Best Practice Guidance for Attorneys for Parents

R.C. 2151.352 provides that a child, the child’s parents or custodian, or any other person in loco parentis of the child involved in abuse and neglect cases in Ohio are entitled to representation at all critical stages of the proceedings.

These resources were created in 2021 by the Supreme Court of Ohio’s Child Welfare Quality Legal Representation Attorney Training Workgroup and provided for publication by the court’s Case Management Section as a resource for Ohio Bar attorneys who practice in juvenile law and the child protection system.

The following documents are available on the [Ohio State Bar Association](#) (OSBA) website:

- Best Practice Guidance for Attorneys for Parents
- An Overview of Kinship Care
- Basics of Appellate Practice – Parental Rights Appeals
- Types of Custody: What You Need to Know
- Statutes and Administrative Codes Impacting Children Services Law
- Attorney Checklist for Child Welfare Hearings and Trials

## CAPMIS Tool

### (Comprehensive Assessment and Planning Model)

*Developed by the Ohio Department of Jobs and Family Services*

<p>Safety Assessment</p>	<p>Purpose</p> <ul style="list-style-type: none"> <li>• Point in time documentation of the assessment of safety.</li> <li>• Determines if a threat of serious harm is present in a child's environment.</li> <li>• Determines whether or not the child's caregivers are able and willing to protect the child.</li> <li>• Determines the child's unique characteristics that impact vulnerability.</li> <li>• Examines the family's history of child abuse and neglect.</li> <li>• Required for all child abuse, neglect and dependency reports.</li> </ul>	<p>Timeframes</p> <ul style="list-style-type: none"> <li>• Requires face-to-face contact with the child and one parent, guardian caretaker to assess child safety within 4 working days from the date the report was screened in.</li> <li>• Entered and approved in SACWIS within 7 working days from the date the report was screened in.</li> </ul>
<p>Safety Plan</p>	<p>Purpose</p> <ul style="list-style-type: none"> <li>• A specific and concrete strategy for controlling an active safety threat.</li> <li>• Implemented immediately when a parent's protective capacities are not sufficient to manage active safety threats.</li> <li>• Supplements protective capacities with specific action steps or activities.</li> <li>• Identifies responsible persons to assist to control the active safety threat.</li> <li>• Identifies how the activities will be monitored.</li> <li>• Requires signature of parents, guardian or custodian and all responsible persons to document agreement and understanding of voluntary plan.</li> <li>• Remains active until the protective capacities control or mitigate the active safety threat (not time limited).</li> </ul>	<p>Types of Safety Plans</p> <ul style="list-style-type: none"> <li>• In-Home Safety Plan (Form JFS 01409).</li> <li>• Out-of-Home Safety Plan (Form JFS 01409).</li> <li>• Legally Authorized Out-of-Home Placement (Court Order Temporary Custody to PCSA or relative/kin).</li> </ul> <p>Monitoring Requirements</p> <ul style="list-style-type: none"> <li>• In-home safety plan monitored by weekly home visits with face-to-face contact with each child and parent, guardian, or custodian residing in the home.</li> <li>• Out-of-home safety plan monitored by weekly contact with the children or persons responsible for an action step either by telephone or face-to-face. Also, face-to-face contact with each child, parent, guardian, or custodian involved every other week.</li> </ul>

<p>Family Assessment</p>	<p><b>Purpose</b></p> <ul style="list-style-type: none"> <li>• Reassesses safety at the conclusion of the assessment/investigation period.</li> <li>• Clinical Risk Assessment of functioning for the child, adults, and family in determining strengths and needs.</li> <li>• Identifies risk contributors, non-risk contributors and strengths in the family system which inform service needs.</li> <li>• Identifies the family's perception of their own strengths and areas of need.</li> <li>• Identifies contributing factors and underlying conditions that influence the maltreatment dynamic.</li> <li>• Actuarial Risk Assessment which determines likelihood of future child maltreatment.</li> <li>• Determines whether the case should be open for ongoing services, referred for community services or closed.</li> <li>• Examines service plan recommendations for all cases referred for ongoing services.</li> <li>• Should only be completed once per case episode.</li> </ul>	<p><b>Timeframes</b></p> <p>Required for all child abuse, neglect and dependency reports.</p> <p>Required for all family in need of services reports if transferred for ongoing service provision except deserted child, permanent surrender, emancipated youth or ICPC reports.</p> <p>Requires an assessment of the alleged child victims family including:</p> <ul style="list-style-type: none"> <li>• Siblings of the alleged child victim, including step or half siblings residing in the home.</li> <li>• Parent, guardian, custodian or caretaker residing in the home of the alleged child victim.</li> <li>• Paramour of the custodial parent, guardian, custodian or caretaker residing in the home.</li> <li>• Children of the paramour residing in the home.</li> <li>• Other children residing in the home of whom the parent, guardian, custodian or caretaker has custody or guardianship.</li> <li>• A related or unrelated adult residing in the home having routine responsibility for care of the alleged child victim.</li> <li>• Victim/child subject of the report and siblings.</li> </ul> <p>Required to be completed within 45 days from the date the PCSA screened in the report.</p>
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<p>Specialized Assessment Investigation Tool (SAIT)</p>	<p><b>Purpose</b></p> <p>Captures the requirements of child abuse or neglect reports when the alleged perpetrator meets one or more of the following criteria:</p> <ul style="list-style-type: none"> <li>• Is a person responsible for the alleged child victim's care in an out-of-home care setting as defined in R.C. 5101:2-1-01.</li> <li>• Is a person responsible for the alleged child victim's care in out-of-home care as defined in R.C. 2151.011.</li> <li>• Has access to the alleged child victim by virtue of his/her employment by or affiliation to an institution.</li> <li>• Has access to the alleged child victim through placement in an out-of-home care setting.</li> <li>• Assesses safety in an out-of-home care setting. <i>This is the only CAPMIS tool that assesses child safety in out-of-home care.</i></li> </ul> <p>Captures the findings and summary of investigation, including interviews, the report disposition, pre- and post-investigation notifications requirements.</p> <p><b>Timeframes</b></p> <p>Required to be completed within 45 days from the date the PCSA screened in the report.</p>		
<p>Ongoing Case Assessment Investigation Tool (OCAIT)</p>	<table> <tr> <td data-bbox="427 1010 919 1904"> <p><b>Purpose</b></p> <ul style="list-style-type: none"> <li>• Capture the assessment/investigation of a child abuse, neglect or dependency reports if the report is linked to an open case that has had a family assessment completed for the case episode.</li> <li>• Reassesses safety at the conclusion of the assessment/investigation period.</li> <li>• Actuarial Risk Reassessment to determine the likelihood of future child maltreatment.</li> <li>• Determines whether the case should continue to be open for ongoing services, referred for community services or closed.</li> <li>• Examines service plan recommendations for all cases referred for ongoing services.</li> <li>• Examines the need for any changes in service planning as a result of the information gathered during the assessment/investigation.</li> </ul> </td><td data-bbox="919 1010 1404 1904"> <p><b>Timeframes</b></p> <p>Required to be completed within 45 days from the date the PCSA screened in the report.</p> <p>Requires an assessment of the alleged child victims family including:</p> <ul style="list-style-type: none"> <li>• Siblings of the alleged child victim, including step or half siblings residing in the home.</li> <li>• Parent, guardian, custodian or caretaker residing in the home of the alleged child victim.</li> <li>• Paramour of the custodial parent, guardian, custodian or caretaker residing in the home.</li> <li>• Children of the paramour residing in the home.</li> <li>• Other children residing in the home of whom the parent, guardian, custodian or caretaker has custody or guardianship.</li> <li>• A related or unrelated adult residing in the home having routine responsibility for care of the alleged child victim victim/child subject of the report and siblings.</li> </ul> </td></tr> </table>	<p><b>Purpose</b></p> <ul style="list-style-type: none"> <li>• Capture the assessment/investigation of a child abuse, neglect or dependency reports if the report is linked to an open case that has had a family assessment completed for the case episode.</li> <li>• Reassesses safety at the conclusion of the assessment/investigation period.</li> <li>• Actuarial Risk Reassessment to determine the likelihood of future child maltreatment.</li> <li>• Determines whether the case should continue to be open for ongoing services, referred for community services or closed.</li> <li>• Examines service plan recommendations for all cases referred for ongoing services.</li> <li>• Examines the need for any changes in service planning as a result of the information gathered during the assessment/investigation.</li> </ul>	<p><b>Timeframes</b></p> <p>Required to be completed within 45 days from the date the PCSA screened in the report.</p> <p>Requires an assessment of the alleged child victims family including:</p> <ul style="list-style-type: none"> <li>• Siblings of the alleged child victim, including step or half siblings residing in the home.</li> <li>• Parent, guardian, custodian or caretaker residing in the home of the alleged child victim.</li> <li>• Paramour of the custodial parent, guardian, custodian or caretaker residing in the home.</li> <li>• Children of the paramour residing in the home.</li> <li>• Other children residing in the home of whom the parent, guardian, custodian or caretaker has custody or guardianship.</li> <li>• A related or unrelated adult residing in the home having routine responsibility for care of the alleged child victim victim/child subject of the report and siblings.</li> </ul>
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Case Plan	<p><b>Purpose</b></p> <ul style="list-style-type: none"> <li>• Provide a clear, behaviorally specific and measurable guide to effectuate behavioral change to reduce or mitigate risk to the child.</li> <li>• Addresses the conditions influencing risk to the child based on the assessment of the family's strengths and needs.</li> <li>• Contains a comprehensive visitation plan for children placed out of the home.</li> <li>• Required for all cases receiving services beyond the assessment/ investigation phase.</li> </ul>	<p><b>Timeframes</b></p> <p>Required to develop and complete the case plan no later than 30 days after whichever of the following occurs first:</p> <ul style="list-style-type: none"> <li>• Parent, guardian, or custodian and agency agree the provision of supportive services.</li> <li>• The date the complaint was filed.</li> <li>• The date the child was placed in shelter care.</li> <li>• Prior to the adjudicatory hearing.</li> </ul> <p>Required to be amended within 7 days from any of the following:</p> <ul style="list-style-type: none"> <li>• Conditions of either the child or parent change and affect the legal status of the child or the provision of supportive services.</li> <li>• A change in the goal for the child and/ or changes family members are needed to address to alleviate concerns.</li> <li>• The child needs to be placed in a substitute care setting, returned to his or her parent, or moved to another substitute care setting.</li> <li>• The child attains the age of 16 and independent living and life skill services are offered.</li> <li>• A change in the visitation plan for a child.</li> <li>• A party must be added or deleted from the case plan.</li> </ul> <p>Requires face-to-face contact with each parent and child participating in and being provided services through the case plan no less than monthly to monitor progress on the case plan objectives.</p> <p>At least one contact every two months must be made in the parents' home.</p> <p>If the initial attempt to complete a face-to-face contact is unsuccessful, requires an attempt to make a minimum of two additional attempts to complete the face-to-face contact within the calendar month.</p> <p>Family Service Plan can be completed in lieu of the case plan in the Alternative Response Pathway.</p>
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Case Review	<p><b>Purpose</b></p> <ul style="list-style-type: none"> <li>• Reassess child safety.</li> <li>• Clinical Risk Assessment of functioning for the child, adults, and family in determining strengths and needs.</li> <li>• Identifies risk contributors, non-risk contributors and strengths in the family system which inform service needs.</li> <li>• Actuarial Risk Reassessment to determine the likelihood of future child maltreatment and evaluate changes in the level of risk to the child in his own home (actuarial risk reassessment).</li> <li>• Update the family's perception of their own strengths and areas of need.</li> <li>• Identifies contributing factors and underlying conditions that influence the maltreatment dynamic.</li> <li>• Evaluate the effectiveness of supportive services provided to the child and parents.</li> <li>• Identify barriers to the provision of services and recommended case plan amendments.</li> <li>• Prevent removal of child from his own home or examination of conditions that resulted in child's removal.</li> <li>• Determines whether the case should be remain open for ongoing services or closed.</li> </ul>	<p><b>Timeframes</b></p> <p>Completed on all cases receiving services beyond the assessment/investigation time period via the case plan.</p> <p>Required to be completed no later than every 90 days from whichever of the following activities occurs first:</p> <ul style="list-style-type: none"> <li>• Original PCSA court complaint date.</li> <li>• Date of placement.</li> <li>• Date of court ordered protective supervision.</li> <li>• Date of parent, guardian, or custodian's signature on the case plan, for in-home supportive services only.</li> </ul> <p>Required to be completed in conjunction with the semiannual administrative review every 180 days.</p> <p>Family Service Plan Review can be completed in lieu of the case review in the Alternative Response Pathway.</p>
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<p>Semi-Annual Administrative Review (SAR)</p>	<p><b>Purpose</b></p> <ul style="list-style-type: none"> <li>• Assess and update the permanency plan for the child.</li> <li>• Assess the appropriateness of supportive services offered and provided to the child and parents.</li> <li>• A case review is completed in conjunction with the SAR.</li> <li>• Evaluate whether services provided to the child and parents will assist in the child safely reunifying.</li> <li>• Assess safety and appropriateness of the placement setting of the child.</li> <li>• Evaluate child well-being, including education and health issues and independent living services.</li> <li>• Determine if a plan to locate a permanent family placement for the child should occur concurrently with reasonable efforts to safely return the child to his own home.</li> <li>• Engage parties to the case plan in a review of the progress of the case.</li> </ul>	<p><b>Timeframes</b></p> <p>Completed on all cases receiving services beyond the assessment/investigation time period via the case plan.</p> <p>Required to be completed no later than every 180 days from whichever of the following activities occurs first:</p> <ul style="list-style-type: none"> <li>• Original PCSA court complaint date.</li> <li>• Date of placement.</li> <li>• Date of court ordered protective supervision.</li> <li>• Date of parent, guardian, or custodian's signature on the case plan, for in-home supportive services.</li> </ul> <p>Cannot be completed more than 30 days prior to the due date.</p> <p>Family Service Plan Review can be completed in lieu of the SAR in the Alternative Response Pathway.</p>
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Reunification Assessment	<p><b>Purpose</b></p> <ul style="list-style-type: none"><li>• Timely and frequent review of the past and present child safety issues in the removal home.</li><li>• Assess parental compliance with court orders.</li><li>• Assess current family conditions and dynamics.</li><li>• Assess current family resources, strengths, and protective capacities.</li><li>• Determine if reunification is possible.</li><li>• Determine services necessary to support successful reunification.</li></ul>	<p><b>Timeframes</b></p> <p>Required for any child placed out of the home through either a voluntary out-of-home safety plan or a legally authorized out-of-home placement for 30 days or more.</p> <p>Must be completed:</p> <ul style="list-style-type: none"><li>• Prior to the reunification of a child to his removal home.</li><li>• When the risk level is reduced to moderate or below.</li><li>• During the completion of the SAR for a child placed out of his home for 30 days or more if any of the following apply:<ul style="list-style-type: none"><li>• An out-of-home safety plan has been implemented.</li><li>• The case plan goal and services are to support reunification of the child to the removal home.</li><li>• A legally authorized out-of-home safety plan has been implemented.</li><li>• Parental rights have not been terminated.</li></ul></li><li>• No more than 60 days prior to any court hearing for a child in the PCSA's temporary custody.</li></ul>
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## Youth Aging Out of Foster Care

The Bridges Program is designed to provide resources for youth transitioning out of the foster care system until they reach age 21. Administered through the Ohio Department of Job and Family Services, this program provides assistance for housing, education, employment skills, and access to community resources so that older foster care youth can gain the necessary skills needed to be self-sufficient adults.

Participation in the Bridges program is voluntary. To be eligible, the youth must meet one of the following eligibility requirements: 1) completing their secondary education or program equivalent; 2) enrolled in post-secondary or vocational education; 3) participating in a program or activity to promote or remove barriers to employment; 4) employed; or 5) incapable of the above due to a physical or mental condition. [[R.C. 5101.1411](#)]

Youth may receive the following support services through Bridges:

- **Housing Support Services:** Assisting locating safe, affordable housing, funding to supplement the cost of rent, utilities, food, clothing, and other costs of living.
- **Education Support Services:** Assistance acquiring a GED, pursuing vocational training or an apprenticeship, applying to college and acquiring financial aid.
- **Employment Support Services:** Assistance in searching for employment, completing job skill assessments, and acquiring appropriate interview clothing.
- **Wellness Support Services:** Assistance in acquiring health insurance, finding a primary care doctor, and supporting the participant's efforts to improve their physical and mental health.

Youth will be assigned a Bridges representative who will help them identify goals for self-sufficiency and an action plan to achieve those goals. The representative connects the youth to community resources, supports, and teaches them personal and professional life skills that align with their goals such as budgeting, paying bills, and cooking. The representative is a consistent adult support for the youth for the duration of the youth's participation in the program.

More information on the Bridges Program can be found on the [program website](#). Interested youth should consult with their children services caseworker about participating in the program. A Bridges representative can assist the youth in completing the application process.

## Program Eligibility

- Not yet 21 years of age.
- Left the Ohio Foster Care System at age 18, 19, or 20.
- Meet one of the education or employment criteria.
  - ☐ Completing secondary education or a program leading to an equivalent credential.
  - ☐ Enrolling in college or other post-secondary school.
  - ☐ Participating in a program or activity designed to promote, or remove barriers to, employment.
  - ☐ Maintaining employment for at least 80 hours a month.
  - ☐ Being incapable of doing any of the above activities due to a physical or mental health condition.
- Sign the Voluntary Participation Agreement with Ohio Department of Job and Family Services (ODJFS) to confirm you'll fulfill participant responsibilities.
- Participant will meet with their Bridges Program Representative (liaison) as required.
- Participant work towards and accomplish the goals and activities they set.
- Participant agrees to be a responsible member of the housing environment and community of which they are a part.

More information on [program eligibility](#) is available on the Bridges website.

## How to Apply

Interested young adults should talk with their children services caseworker about an interest in participating in Bridges. The caseworker will contact a Bridges representative three months before the participant leaves foster care to coordinate services.

A Bridges representative can help young adults fill out the application and gather appropriate documentation.

If a participant has aged out of foster care and is under the age of 21, they can use the following paths to apply:

1. Young adult: submit your information using this [interest form](#).
2. PCSA caseworker or adult supporter: submit a referral using this [referral form](#).

### When to Apply

Eligible young adults can apply to the program anytime, either while they are still in the Ohio foster care system, or after they have aged-out of foster care.

Interested young adults still in foster care should inform their children services case worker of their interest in Bridges.

### Court Involvement

A best-interest determination hearing shall be held after an interested young adult completes the Voluntary Participation Agreement (VPA) with the ODJFS. Within 180 days of entering that agreement (the effective date of the agreement), the juvenile court will schedule a hearing to determine whether entering into the Bridges program is within the best interest of the young adult.

If a judicial determination is not made within 180 days of the VPA's effective date that Bridges participation is in the best interest of the emancipated young adult, then the young adult is not eligible for Title IV-E reimbursement for the span of the emancipated young adult's participation in Bridges.

### Further Information

For more information, reference the Supreme Court of Ohio [Bridges Toolkit](#).



## Child Protection Mediation (CPM)

### What is Mediation?

Mediation means any process in which a neutral third party (the mediator) facilitates communication and negotiation between parties and non-party participants to assist them in reaching a voluntary agreement regarding their dispute. Mediators are not decision-makers. Any resolution of the case must be by agreement of the parties. [See R.C. 2710.01 (A)]

### What is Child Protection Mediation (CPM)?

CPM is a collaborative court ordered problem-solving process in which a mediator facilitates communication and negotiation among parents, lawyers, child protection professionals, guardians ad litem, and possibly non-party participants such as grandparents, other relatives, foster parents, and others in cases involving allegations of child abuse, neglect or dependency. Goals of CPM are to assist the parties in reaching a settlement that 1) ensures safety and well-being of the child, 2) is informed, timely and dignified, 3) is consistent with public policy, 4) is judicially acceptable, 5) maximizes family integrity and functioning, and 6) protects all parties' legal rights and obligations. Mediation is future-focused and can lead to a quicker resolution of the case, thereby reducing the time a child spends in foster care. The Uniform Mediation Act, R.C. 2710 *et seq.* applies to CPM.

CPM gives participants a forum in which they can exchange the most current information, clarify roles, responsibilities, and expectations, build rapport and trust, and craft early, appropriate comprehensive settlements. Mediated issues may include: 1) custody, placement and visitation with the child, 2) services for the child and parents, 3) case plan creation and timetables, 4) financial responsibility and 5) other issues relevant to the case and the participants.

While mediation includes the goal of helping the parties come to a voluntary agreement, the success of mediation should not be judged merely on whether an agreement is achieved. Improved communication and understanding among the parties and non-party participants can itself be a hugely important outcome of this process.

### CPM Process

The CPM process varies from court to court, but a typical CPM might proceed as follows:

- The court on its own motion, or at the request of an attorney or party, issues an order referring the case to mediation. The statutory time limits in R.C. 2151.35(B) are not stayed during the mediation process.

- Prior to the mediation session, the mediator has a separate meeting with each party, either in-person or virtually. During this meeting the mediator briefly discusses the mediation process and addresses any questions or concerns the party may have and assesses the party's capacity to participate in mediation. The party's attorney may, but is not required to, participate in this meeting.
- The mediator typically begins the mediation session with the participants together in the same in-person or virtual room. The mediator gives a brief introduction and then invites the participants to share their perspectives. The mediator then develops an agenda and guides the parties in a discussion in which they generate, and possibly select, resolutions. During the mediation, the mediator may caucus with parties separately.
- If the parties reach agreement on some or all the issues, the mediator drafts a memorandum of understanding with input from the parties and their counsel.
- The agreement is presented to the court in accordance with the court's procedures.

### Responsibilities of Attorneys for Parents

- Prepare the parent for mediation session and explain court and mediation processes.
- Assist the parent in understanding their situation, their legal rights and court considerations.
- Provide legal information and advice before and during the mediation sessions.
- Advocate on the parent's behalf and assist in generating options for resolution.
- Assist the parent in communicating during mediation sessions.
- Advise the parent about legal consequences of any agreement reached.
- Assist with agreement content and wording.

### Responsibilities of Guardians ad litem

- Advocate for the child's best interests.
- Gather information about the child and the child's situation prior to mediation session.

- Serve as the “child’s voice” and present pertinent information at mediation.
- Assist in generating options for resolution and make recommendations to address the child’s best interests.
- Assist with agreement content and wording.

### What Are the Benefits of CPM for Clients?

#### Benefits for the child:

- Participants focus on the best interests of the child.
- Agreements can be tailored to the specific needs of the child and the family.
- Cases may be resolved more quickly therefore reducing the amount of time the child is in foster care.

#### Benefits for parents:

- Parents have an opportunity to be heard, listen, and understand and to express their needs, the child’s needs and desired outcomes for themselves and the child.
- Parents receive updates on the most current information.
- Parents have the opportunity to contribute to a customized solution for the child.
- CPM may reduce the family’s feelings of alienation from the child protection system and the courts.

#### Benefits for caseworkers:

- Improved communication between agency workers, custodians, parents and others involved with the child.
- Increased understanding of the child’s needs.
- Cases move to family reunification or permanency more quickly.

#### Benefits for attorneys:

- Parents who better understand the process and actively work towards solutions for their child.
- The mediation process values parents’ needs and input.
- The outcome is agreed upon rather than imposed by the court.
- Avoids time required to prepare for and participate in a contested court trial.

### Benefits for courts:

- Reduces court time and resources needed for contested hearings.
- Provides a forum in which all parties can focus on the best interests of the child.
- Provides a process that better deals with relationship and emotional issues inherent in child protection matters.
- Faster resolution of the case.

For more information about mediation and CPM, see the Supreme Court of Ohio [CPM Toolkit](#) and listen to the Supreme Court of Ohio's Civility and Solutions Podcast ([Season 1, Episode 11](#)). For local information contact the county's juvenile court mediation coordinator

## Solving Common Attorney Issues

*By Judge Jay Nixon, Knox County Juvenile and Probate Court*

### Often Late? Unprepared? Stressed Out?

Extensive preparation generally helps streamline the process, prevent unrealistic expectations, and reduce stress related to ongoing cases. Preparation should include the following:

- Meet multiple times with the client:
  - Educate the client on expected procedures in the courtroom.
  - Educate the client on the law and relevant factors for the case.
  - Ask the client questions they should expect if testifying, both on direct and cross.
  - Prepare the client for unexpected questions or circumstances and how to react.
  - Help the client maintain realistic expectations related to the case.
  - Communicate the possible legal outcomes to the client.
- Meet with witnesses in advance:
  - Educate them on expected procedures in the courtroom.
  - Make sure that you know the extent of their knowledge related to the case.
  - Communicate with them the time they should arrive and how long they may need to wait before testifying.
  - Know the schedule of the witness on the day of the hearing so that you can try to be courteous towards that schedule if possible.
- Prepare your opening statement and closing argument in advance and include all significant legal and factual points.
- Prepare for testimony, including cross examination:
  - Review the law to make sure requested information is relevant.
  - Review the law to make sure requested information is admissible.
  - Review the information you expect to present to make sure that you are addressing all relevant factors.
  - Communicate with opposing parties to make sure that you are not calling a witness you do not need. For example, if opposing parties will stipulate to exhibits, you may not need to require attendance of a records custodian.

- Prepare in advance for expected objections to testimony and/or exhibits.
- Ensure subpoenas are issued as necessary in a timely fashion.
- Ensure that you comply with local court rules including the filing of any pretrial statements, witness lists, or exhibits.
- Prepare your exhibits and send copies to opposing parties prior to the hearing.
- Coordinate in advance with opposing parties to see if stipulations may be reached concerning facts, exhibits, or issues. (Judges appreciate efficiency and stipulations concerning exhibits, witnesses, facts, etc. can greatly streamline a case.)
- Be physically and mentally prepared for court – get a good night’s sleep, eat, and stay hydrated.
- Plan on the hearing lasting longer than you expect.
- Dress appropriately for court and arrive early.
- Stay up to date on relevant statutes and case law:
  - Make sure that you comply with legal timelines (see “Caseflow and Timelines” in the appendix).
  - Keep track of changing legislation and the effect of that legislation on your case.

Some people think of secondary trauma from children services cases as only affecting caseworkers. However, attorneys who work directly with traumatized children and hear the recounting of traumatic experiences, are at risk of secondary traumatic stress. To do their jobs, attorneys must listen to traumatic stories from their clients and read police reports detailing abuse. Be aware that this exposure to the trauma of others can take an emotional toll that can cause stress, guilt, and the feeling of being emotionally deflated. The following may lessen the impact of secondary traumatic stress:

- Attend skills training developed for attorneys in the field of children services law.
  - Being confident in your ability to do your job can empower you to help families and clients. Knowing that you are making a valuable contribution can increase your satisfaction with your work.
  - Trainings allow you to meet other professionals in the field that you can talk to about your toughest cases – conversations that your family members and friends may not be emotionally prepared to handle.

- Receiving training on secondary trauma will allow you to identify signs that you are taking on too much.
- Developing your skills and becoming more competent will allow you to handle cases efficiently. As you understand the laws and trial procedure, you can tailor your preparation to be efficient and effective.
- Practice self-care.
  - Connect with colleagues who understand this type of work. They will understand what you are going through better than those in unrelated professions.
  - De-stress at the end of the day by doing something you enjoy that takes your mind off the work.
  - Get plenty of sleep, exercise, eat well, and hydrate.
  - Maintain a healthy work-life balance. Plan vacation time early so you can keep your schedule clear.
- Seek counseling or additional help.
  - Contact the [Ohio Lawyers Assistance Program](#), or utilize an Employee Assistance Program, if available.

## Available Trainings and Mentoring Opportunities

- [NACC Red Book Training](#) is a comprehensive training course for all lawyers practicing children services law. This Ohio-specific training is expected to be offered annually through the Supreme Court of Ohio. Tuition reimbursement may be available.
- [International Academy of Family Lawyers](#).
- Local Bar Associations (see individual websites).
- [National Association of Counsel for Children](#).
- [Supreme Court Adopts Child Welfare Law Specialization](#).
- [National Children's Advocacy Center](#).
- [Practising Law Institute](#) – events include the Annual Children's Law Institute.
- [Supreme Court of Ohio Activity Search](#).
- [World Congress on Family Law & Children's Rights](#).
- Local or [Office of the Ohio Public Defender](#).
- [Ohio State Bar Association](#).



## GAL Education

Education is an important component in the quality of a GAL's performance. The Supreme Court is the primary provider of education; however, local courts retain the authority to approve education and other additional activities a GAL can do to satisfy their education requirements. The Supreme Court's Judicial College offers many opportunities for GALs to satisfy their education requirements.

### Pre-Service Education [[Sup.R. 48.04](#)]

Before accepting a court appointment, GALs must complete twelve hours of pre-service education provided by the Supreme Court, the Ohio Court Appointed Special Advocates Guardian ad Litem Association (Ohio CASA), or another provider that has been approved by the local appointing court. Sup.R. 48.04(B) sets forth the topics that the pre-service education is required to cover (e.g., child development, impact of trauma, legal processes, report writing, interviewing skills). Six of the pre-service education hours must be earned by participating in live education; the remaining six hours can be acquired through live or online education, teaching, writing, mentoring, or field-training activities that have been approved by the local court.

### Continuing Education [[Sup.R. 48.05](#)]

GALs must complete six hours of continuing education annually. Three of these hours must be earned by participating in live education. The remaining three hours can be acquired through live or online education, teaching, writing, mentoring, or field-training activities that have been approved by the local court. The continuing education classes typically are designed to delve into a particular topic. For example, the Supreme Court's Judicial College offers courses on divorce, substance use, trauma, and domestic violence. Additionally, the non-classroom-based education activities allowed under the rule provide GALs with the opportunity to gain hands-on experience, especially through field-training activities and mentoring.

## Abbreviations Used In Child Protection Cases

<b>AA</b>	Adoption Assistance	Title IV-E provides some AA funding when a child is placed in an adoptive home. The amount can be determined through negotiation and mutual agreement between the children services agency and the adoptive parent, considering the special needs of the child.
<b>ACV</b>	Alleged Child Victim	The child who is the subject of the case is the alleged child victim when a caseworker investigates a complaint of harm to that child.
<b>AG</b>	Attorney General	The Attorney General is a state-level elected position, representing the Ohio Department of Job and Family services and funding several child welfare programs.
<b>AND</b>	Abuse, Neglect, and Dependency	Child protection cases fall into three types: abuse, neglect, and dependency, or AND. These are defined by statute.
<b>AOD</b>	Alcohol and Other Drugs	Some parents or children involved in child protection cases have AOD issues impacting their lives. AOD counseling might be ordered in a case plan to assist the family with that perceived issue.
<b>AP</b>	Alleged Perpetrator	When the caseworker investigates a complaint of harm or risk to a child, the person suspected of causing the safety risk is the AP.
<b>AR</b>	Alternative Response	AR is a way to handle a situation involving a child's needs or safety through a voluntary plan, instead of filing in court. AR is an option for the parent and children services agency if the case meets certain criteria.
<b>AWOL</b>	Absent Without Leave	AWOL is when a child or parent stops participating in a case unexpectedly and the caseworker cannot get in touch with them. If a parent is AWOL, they might lose their rights to visit with the child.
<b>BCI</b>	Bureau of Criminal Investigation	The BCI is the state's official crime lab. A potential caregiver for a child may need a BCI background check to see if they have had any criminal history.

<b>CA/N</b>	Child Abuse and Neglect	The filings at court that may result in the removal of a child from their home are called CA/N cases. CA/N might be demonstrated by serious injuries to a child or neglect such as failing to feed the child or send the child to school.
<b>CAC</b>	Child Assessment Center at The Center for Family Safety and Healing at Nationwide Children's Hospital	This is the division at Nationwide Children's Hospital that coordinates services and treats children who are victims of abuse and neglect.
<b>CASA</b>	Court Appointed Special Advocate	A CASA is appointed by the judge or magistrate in the case to make recommendations about the well-being of a child. The CASA will visit the child during the case to check their welfare. Some CASAs serve as GALs.
<b>CBCF</b>	Community Based Correctional Facility	Delinquent children can be sent to CBCFs as part of their disposition. They are typically locked facilities that focus on treatment and rehabilitation.
<b>CDJFS</b>	County Department of Job and Family Services	The CDJFS is an agency that must investigate concerns of child abuse and neglect. The CDJFS may choose to file a case in court if the investigation uncovers proof of harm to a child or that the child's needs are not being met.
<b>COPS</b>	Court Ordered Protective Supervision	COPS means that the children services agency is not going to find an alternative placement for a child but will have the right to check on the child and set certain conditions to keep the child safe.
<b>CPM</b>	Child Protection Mediation	CPM is mediation led by a trained, neutral, third party and may be used to facilitate agreements in child protection cases.
<b>CPS</b>	Child Protective Services	CPS is the section of a government agency that ensures the safety of children.
<b>CR</b>	Client Rights form	CR is a form given to families that explains how to make a complaint about a caseworker and lets them know their rights in an investigation.

<b>CRC</b>	Children's Residential Center	A CRC is a live-in facility in which children with behavioral or mental health needs can get treatment. A typical stay can last four months to many years, depending on the severity of the child's condition and the options for safety available in a less restrictive environment.
<b>CS</b>	Children Services	A CS agency investigates reports of child abuse and neglect and works with families and the court to ensure the safety of children.
<b>CSEA</b>	Child Support Enforcement Agency	CSEA is the public agency responsible for initiating and collecting child support payments.
<b>CW</b>	Caseworker	A CW is a social worker assigned to a case for children. They conduct investigations, make recommendations for the safety of children, and write reports about family progress.
<b>DD</b>	Developmental Disabilities	DD are group of conditions due to an impairment in physical, learning, language, or behavior areas. Sometimes a child's DD can lead to children services involvement to ensure health needs are being met. When a parent has a DD, it can add an additional parenting challenge that sometimes will be addressed through a case plan.
<b>Dep</b>	Dependency	Dep is defined in R.C. 2151.04.
<b>Dispo</b>	Disposition	The dispo is a case investigation outcome that the agency assigns: substantiated, indicated, or unsubstantiated. Dispo can also be the terms the court puts in place for parents to comply with after a finding of AND.
<b>DJFS</b>	Department of Job and Family Services	DJFS is a public children services agency.
<b>DNA</b>	Dependency, Neglect, and Abuse	Child protection cases fall into three types: dependency, neglect, and abuse. These are defined by statute.
<b>DODD</b>	Ohio Department of Developmental Disabilities	The DODD offers supportive services for Ohioans with developmental disabilities.

<b>DV</b>	Domestic Violence	DV is also called “domestic abuse” or “intimate partner violence”. DV can be defined as behavior in any relationship that is used to gain or maintain power and control over an intimate partner. Sometimes when a parent is violent with a child, or the child is present when adults fight in the home, children services becomes involved to protect the child from the risk of harm.
<b>ECO</b>	Emergency Custody Order	In a child’s best interest, the court can issue an ECO for the child to immediately be removed from danger. Also, a children services agency or the police can remove a child from the parents in an emergency. The matter will be addressed in court as soon as possible to see if the child should remain out of the home.
<b>FBI</b>	Federal Bureau of Investigation	The FBI is the federal official crime lab. A potential caregiver for a child may need an “FBI background check” to see if they have had any criminal history.
<b>FTM</b>	Family Team Meeting	The children services agency may arrange a FTM with the child’s family to discuss safety options.
<b>FYLaw</b>	Family and Youth Law Center	FYLaw works within child protection, adoption, and juvenile justice systems to support positive outcomes for children, youth, and families.
<b>GAL</b>	Guardian Ad Litem	A GAL is an advocate, usually an attorney, assigned to a case to make recommendations in the best interest of the children. GALs can sometimes also be assigned to a parent in a case if the parent has special needs that require someone to advocate in their best interest.
<b>GF</b>	Genogram Form (family relationships)	The caseworker fills out the genogram with the family to understand family relationships and try to identify potential kinship placements.
<b>GH</b>	Group Home	Any care facility that houses multiple foster youth. GH’s usually provide therapy, 24-hour supervision, and support to teens in a home-like setting.
<b>ICCA</b>	Individual Child Care Agreement	The children services agency shall develop an ICCA each time a child is placed in a substitute care setting pursuant to Ohio Adm.Code 5101:2-42-90.

<b>ICPC</b>	Interstate Compact on the Placement of Children	ICPC is a statutory agreement between all 50 states, the District of Columbia, and the US Virgin Islands. The agreement governs the placement of children from one state into another state.
<b>ICWA</b>	Indian Child Welfare Act	ICWA provides guidance when a child has Native American heritage. The purpose of ICWA is "...to protect the best interest of Indian Children and to promote the stability and security of Indian tribes and families by the establishment of minimum Federal standards for the removal of Indian children and placement of such children in homes which will reflect the unique values of Indian culture..." (25 U.S. C. 1902). ICWA provides guidance to states regarding the handling of child abuse and neglect and adoption cases involving Native children and sets minimum standards for the handling of these cases.
<b>IEP</b>	Individualized Education Plan or Program	An IEP is a plan or program developed to ensure that a child with an identified disability who is attending an elementary or secondary educational institution receives specialized instruction and related services.
<b>IL</b>	Independent Living	In Ohio, county public children services agencies (PCSAs) are required to provide IL services to all youth ages 14 and older who are in foster care, to help prepare them for future self-sufficiency. They also may be available to 18-20-year-olds who aged out of foster care and request help.
<b>IM</b>	Income Maintenance division	IM monitors financial assistance and job search programs.
<b>KPIP</b>	Kinship Permanency Incentive Program	KPI was created to support children in the homes of family or friends who have committed to caring for them when birth parents cannot. KPI provides time-limited incentive payments to families caring for their kin.
<b>LC</b>	Legal Custody	The court can award LC to kin in the best interest of the child. LC is intended to be permanent in nature.
<b>MR</b>	Mandated Reporter	MRs are required by law (R.C. 2151.421) to report suspicion or knowledge that child abuse is occurring. Attorneys are mandated reporters.

<b>MH</b>	Mental Health	MH is often an issue in child protection cases.
<b>NAH</b>	Native American Heritage Form	The caseworker must fill out this form with the family. It is very important to identify Native American heritage early in the case.
<b>NCH</b>	Nationwide Children's Hospital	A large children's hospital system in central Ohio.
<b>NEG</b>	Neglect	NEG is defined in R.C. 2151.03.
<b>OAC</b>	Ohio Administrative Code	The OAC contains all the rules passed by the various state agencies. The section dealing with child protection definitions is Ohio Adm.Code 5101:2-1-01.
<b>ODYS</b>	Ohio Department of Youth Services	ODYS provides high security incarceration for delinquent youth.
<b>OWF</b>	Ohio Works First	OWF is the financial assistance portion of Ohio's Temporary Assistance to Needy Families (TANF) program. OWF was established to provide time-limited assistance to eligible families. OWF provides cash benefits to eligible, needy families for up to 36 months.
<b>PA</b>	Physical Abuse	Physical abuse is defined in R.C. 2151.031.
<b>PASSS</b>	Post Adoption Special Services Subsidy	PASSS assists Ohio families financially after the finalization of their adoption.
<b>PC</b>	Permanent Custody	The children services agency shall file for PC if at least one of several statutory factors are present, and PC can be proven to be in the best interest of the child. PC permanently terminates parental rights and allows the agency to place the child for adoption.
<b>PCC</b>	Permanent Court Commitment	Also known as Permanent Custody. The parents' rights are terminated pursuant to R. C. 2151.414.
<b>PCP</b>	Primary Care Physician	A custodian may be asked to follow up with the child's PCP for additional care.

<b>PCSA</b>	Public Children Services Agency	The PCSA is the county child protection board.
<b>PCSAO</b>	Public Children Services Association of Ohio	The PCSAO is an Ohio organization of public child welfare agencies and promotes public policy regarding child welfare.
<b>PFR</b>	Putative Father Registry	The PFR is a computerized database maintained by the Ohio Department of Job and Family Services. The PFR allows a male to register if he believes he may have fathered a child and wants to be notified if the child is placed for adoption.
<b>PPLA</b>	Planned Permanent Living Arrangement	A PPLA is long-term foster care. This option is only available if the child is over 16 years old.
<b>PSUP</b>	Protective Supervision	PSUP is an order of disposition that may permit an abused, neglected, dependent, or unruly child to remain in the custody of the child's parents, guardian, or custodian, and stay in the child's home. The children services agency will be able to check on the safety of the child and there will be specific safety precautions in place. PSUP is also sometimes ordered when the court orders temporary custody to a kinship placement, so that the agency can monitor the safety of the placement.
<b>Q RTP</b>	Qualified Residential Treatment Program	A Q RTP is a program that: 1) Has a trauma-informed treatment model designed to meet the needs (including clinical needs) of children with serious emotional or behavioral disturbances, and is able to treat the child; 2) Has registered or licensed nursing or clinical staff who can provide the necessary care and are on-site as required by the trauma-informed treatment model and available 24 hours a day, seven days a week; and 3) Is licensed by ODJFS and accredited by: a) Commission on Accreditation of Rehabilitation Facilities; b) Joint Commission on Accreditation of Healthcare Organizations; c) Council on Accreditation; or d) Any other independent, not-for-profit accrediting organization approved by the U.S. Secretary of Health & Human Services.
<b>RCNO</b>	Race, Color, National Origin	Data collected about families.



<b>RE</b>	Reasonable Efforts	The children services agency is required by law to make RE to prevent a child's removal from the home and, if the child must be removed, to return the child safely home.
<b>RMS</b>	Random Moment Sample	You may see RMS in caseworker dictation. The state/ federal government sends the agency random emails asking caseworkers what they were doing at specific times during the day, and they have to show documentation. It has nothing to do with the case, but is a funding framework to report to the federal government.
<b>RS</b>	Referral Source/Reporting Source	The agency is required by law to keep the identity of the person reporting child abuse or neglect confidential, so, they will often be referred to as the RS.
<b>SA</b>	Sexual Abuse	SA is defined in R.C. 2151.031(A).
<b>SACWIS</b>	Statewide Automated Child Welfare Information System	SACWIS is the statewide database for children services information.
<b>SAR</b>	Semiannual Administrative Review	The purpose of the SAR is to review the appropriateness of and whether services provided to families have impacted safety, risk, and child well-being.
<b>Section C/No Fault</b>	Section C Dependency	R.C. 2151.04(C) is commonly referred to as a "Section C" or "No Fault" dependency. As this section does not assign blame, it is often proposed to resolve a child protection case.
<b>SSI</b>	Supplemental Security Income	The SSI program provides monthly payments to adults and children who have low income and resources, and who are blind or disabled.
<b>SSS</b>	Social Services Supervisor	A SSS supervises a team of caseworkers. They typically have additional decision-making capability.
<b>SSW</b>	Social Service Worker (Caseworker)	An SSW is a social worker assigned to a case for children. They conduct investigations, make recommendations for the safety of children, and write reports about family progress.

<b>SW</b>	Social worker	A SW is assigned to a case for children. They conduct investigations, make recommendations for the safety of children, and write reports about family progress.
<b>TANF</b>	Temporary Assistance for Needy Families	TANF provides grant funds to states and territories to provide families with financial assistance and related support services. Ohio's program (Ohio Works First) provides a monthly payment to low-income families with minor children.
<b>TC</b>	Temporary Custody	The court can order TC to the agency or kin if it is necessary to protect the child. The orders are meant to be temporary in nature while a parent works to remediate the situation.
<b>TPR</b>	Termination of Parental Rights	Pursuant to R.C. 2151.414, the court can TPR and place a child for adoption if certain conditions are proven and it is in the child's best interest.





THE SUPREME COURT *of* OHIO

July 2023