# Core Competencies for D&N GALs

## Category 1: Ethics - What is my role as a GAL?

### Competency 1. Trainee will understand the GAL’s role and define ethical obligations of the GAL.

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<th>Objectives – Trainee will be able to...</th>
<th>Essential Training Topics</th>
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</table>
| 1. Identify who the client is and analyze the ethical obligations that flow from the unique role of the GAL and the Colorado Rules of Professional Conduct. | • Role of the GAL Discuss scope of representation, confidentiality, former clients, role confusion and role boundaries – what is/is not appropriate within role of the GAL.  
• Explain the implications of serving as a witness vs. as a GAL. |
| 2. Comprehend the requirements of CJD 04-06, the Affidavit of Compliance, statutes, case law, and contract expectations. | • Role of the GAL  
• Importance of frontloading the investigation and conducting an ongoing investigation  
• Recognize privilege and confidentiality issues  
• Distinguish crossover cases – ability to recognize privilege and confidentiality issues in JD cases and D&N cases. |
| 3. Promote youth voice and participation in court proceedings. | • Youth engagement skills  
• QIC Engaging with the Child (Entering the Child’s World) |

## Category 2: Substantive Knowledge

### Competency 2a. Trainee will understand federal and state law specific to appointment as a D&N GAL.

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<tbody>
<tr>
<td>1. Relate legal frameworks and legislative goals of D&amp;N cases to an individual child’s circumstances.</td>
<td>• Knowledge of federal law, state law, and Title 19</td>
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| 2. Outline how a case starts and progresses and the legal presumptions, process, and burdens applicable to each stage of the proceedings. | • Stages of a D&N case, EPP guidelines, burden of proof for each hearing type, ICWA, options for permanency planning.  
• Statutory placement presumptions |
| 3. Demonstrate familiarity with other areas of law that commonly impact dependency and neglect cases and the ability to access appropriate services. | • Law pertaining to immigration, education, developmental disabilities, HIPA, delinquency, domestic relations, and health-care. |

### Competency 2b. Trainee will demonstrate an understanding of relevant social sciences & cultural competency.

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| 1. Integrate an understanding of child development, effects of maltreatment/ trauma, and family dynamics such as mental health, | • Effects of psychotropic drugs on kids  
• Long term consequences for foster children/youth  
• Relevant family dynamics including, but not limited to, assessment of safety/risk, safety plans, attachment and |
substance abuse, and other issues impacting families into advocacy efforts for children, youth and parents.

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<th>Category 3: Skills</th>
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| Competency 3a. Trainee will demonstrate out-of-court advocacy skills. |
|------------------------|--------------------------|
| **Objectives – Trainee will be able to...** | **Essential Training Topics** |
| 1. Become familiar with jurisdictional practice by getting to know the child welfare professionals in the court and learning about the services available in the community. | - Establishing Legitimacy (New Attorney Training)  
- Access local practice information, Chief Judge orders and guidelines such as directives, MOUs, BPCT guidelines |
| 2. Recognize the importance of family relationships from the outset of the case and utilize family engagement skills in a culturally competent manner. | - Importance of developing cultural, ethnic, and socioeconomic competency skills and using them in working with multiracial and immigrant families  
- QIC Identity Circle (Enter the Child’s World) |
| 3. Maximize the use of out of court meetings and events; participation in these events should inform the initial and on-going investigation as well as legal advocacy. | - Establishing Legitimacy, Building Credibility & Getting to Know Your District |
| 4. Develop and utilize negotiation and mediation skills that will assist in developing credibility with professionals and the court. | - Communication Strategies (New Attorney Training)  
- QIC Advocate Effectively, Non-Adversarial Case Resolution (Advocate Effectively) |
| 5. Utilize legal research skills and understand where to access resources to assist in conducting legal research. | - Emphasize importance of first hand sources  
- OCR Motions Bank |
### Competency 3b. Trainee will demonstrate in-court advocacy skills.

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| 1. Develop and implement litigation strategy at each stage of the D&N proceeding and utilize trial skills to effectively litigate issues in court. | • Stages of D&N Proceedings & Investigation (New Attorney Training)  
• Drafting an order of appointment  
• Requesting discovery  
• Motions practice  
• Examining witnesses  
• Expert witnesses |
| 2. Develop and refine a theory of the case based on an independent investigation and applicable legal standards. | • Independent Investigation (New Attorney Training)  
• QIC Theory of the Case |
| 3. Use knowledge of relevant social sciences to identify and advocate for appropriate services and placements that are tailored to address the unique needs of the child(ren) and family. | • Treatment plans should be designed, litigated, and modified to fit the unique needs and presenting issues for each family  
• Motions practice  
• Calling witnesses  
• QIC Child Safety Decision-Making (Assess Child Safety) |
| 4. Execute the theory of the case in court by creating coherent recommendations and through effective presentation of evidence, testimony, and legal arguments. | • LAN – privilege & confidentiality  
• QIC Theory of the Case (Develop a Case Theory) |
| 5. Consistently analyze, reexamine, and refine the theory of the case depending on new facts and stages of the proceeding. | • Out of court skills  
• Effective negotiations  
• QIC Advocate Effectively; Non-Adversarial Case Resolution (Advocate Effectively) |
| 6. Preserve the record for appeal. | • Nuts & Bolts of CAR 3.4 |

### Competency 3c. Trainee will demonstrate effective engagement with youth and professionals.

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| 1. Engage in developmentally appropriate and strength based relationship building to identify and incorporate the child’s position in his/her best interests determination. | • Communication Strategies  
• Importance of engagement with children and adolescents  
• Strategies for building rapport, for ascertaining a child’s position, and for empowering a child/adolescent to express his/her position to the court.  
• Discuss strategies for advocating on behalf of a child’s position or incorporating the child’s position in a best interests manner |
### Competency 3d. Trainee will be able to conduct a meaningful independent investigation.

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| 1. Effectively interview children/youth and begin to build rapport from the outset of the case. | • During the initial investigation, attorneys should take the time to develop a relationship with the child/youth  
• Discuss strategies for interviewing children & youth and how to build rapport with the child/youth from outset of the case  
• QIC Interviewing and Counseling Child Clients (Actively Evaluate Needs) |
| 2. Demonstrate ability to fulfill CJD independent investigation requirements in practice and track compliance with the elements of an independent investigation. | • Independent Investigation & Advocacy  
• Describe how to conduct a thorough home visit both legally and clinically  
• Explain value of speaking with biological families, psychological parents, &/or kin, even if the child is not in that home.  
• Identify methods for conducting family finding/diligent search.  
• Relate investigation to advocacy.  
• Contact other vital sources of information (teachers, coaches)  
• Recognize the value of first-hand, primary sources.  
• Recognize the importance of developing the GALs own recommendations independent of DHS, the parent, or child  
• QIC Actively Evaluate Needs |
| 3. Develop a case planning tool or checklist to monitor compliance with the requirements of an independent investigation. | • Independent Investigation & Advocacy (New Attorney Training)  
• QIC Advance Case Planning |
### Category 4: Law Practice Management

**Competency 4.** Trainee will effectively manage his/her law practice and provide services in a cost-effective manner and in compliance with OCR policies and procedures.

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| 1. Manage cases and caseloads appropriately and implement administrative efficiencies into daily practice. | • Run conflicts checks  
• Create and manage case files  
• Timely billing  
• E-filing |
| 2. Optimize attorney efficiencies including, when applicable, appropriate use of associates, social workers, and support staff. | • Use OCR resources such as on-line trainings.  
• Use COLAP – CO’s Lawyers Assistance Program |
| 3. Address self-care concerns by recognizing and managing secondary trauma and compassion fatigue. | • OCR Billing Policies (New Attorney Training) |
| 4. Comply with OCR’s policies and procedures. | • Use OCR supports (GRID, motions bank, listserv, staff). |
| 5. Achieve efficiencies in practice through the use of OCR supports. | • Use OCR supports (GRID, motions bank, listserv, staff). |