

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.	
Objectives – Trainee will be able to...	Essential Training Topics
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.	<ul style="list-style-type: none"> • 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.	<ul style="list-style-type: none"> • 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.	<ul style="list-style-type: none"> • 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.	
Objectives – Trainee will be able to...	Essential Training Topics
1. Relate legal frameworks and legislative goals of D&N cases to an individual child's circumstances.	<ul style="list-style-type: none"> • Knowledge of federal law, state law, and Title 19
2. Outline how a case starts and progresses and the legal presumptions, process, and burdens applicable to each stage of the proceedings.	<ul style="list-style-type: none"> • 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.	<ul style="list-style-type: none"> • 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.	
Objectives – Trainee will be able to...	Essential Training Topics
1. Integrate an understanding of child development, effects of maltreatment/ trauma, and family dynamics such as mental health,	<ul style="list-style-type: none"> • 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.	bonding, special needs, domestic violence, substance abuse, mental health issues, sibling issues, and cultural competence <ul style="list-style-type: none"> • QIC Identity Circle (Enter the Child’s World) • QIC Child Development & Trauma (Enter the Child’s World) • QIC Child Well-Being; Permanency: Permanency Options (Monitoring Well-Being)
2. Demonstrate an understanding of effective interventions and access to services for families that are culturally competent.	<ul style="list-style-type: none"> • Evidence Based Treatment Options • Trauma Informed Service Delivery • Brain-Based Treatment Approaches

Category 3: Skills

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.	<ul style="list-style-type: none"> • 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.	<ul style="list-style-type: none"> • 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.	<ul style="list-style-type: none"> • 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.	<ul style="list-style-type: none"> • 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.	<ul style="list-style-type: none"> • Emphasize importance of first hand sources • OCR Motions Bank

Competency 3b. Trainee will demonstrate in-court advocacy skills.	
Objectives – Trainee will be able to...	Essential Training Topics
1. Develop and implement litigation strategy at each stage of the D&N proceeding and utilize trial skills to effectively litigate issues in court.	<ul style="list-style-type: none"> • 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.	<ul style="list-style-type: none"> • 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.	<ul style="list-style-type: none"> • 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.	<ul style="list-style-type: none"> • 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.	<ul style="list-style-type: none"> • Out of court skills • Effective negotiations • QIC Advocate Effectively; Non-Adversarial Case Resolution (Advocate Effectively)
6. Preserve the record for appeal.	<ul style="list-style-type: none"> • Nuts & Bolts of CAR 3.4

Competency 3c. Trainee will demonstrate effective engagement with youth and professionals.	
Objectives – Trainee will be able to...	Essential Training Topics
1. Engage in developmentally appropriate and strength based relationship building to identify and incorporate the child's position in his/her best interests determination.	<ul style="list-style-type: none"> • 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

	<ul style="list-style-type: none"> • Discuss strategies for advocating for a child’s position when it differs from the attorney’s best interest recommendation • Motivational interviewing techniques and strategies. • QIC Interviewing and Counseling Child Clients (Enter the Child’s World)
2. Demonstrate professionalism with children, attorneys, department workers, administration, and other parties on the case while maintaining independence.	<ul style="list-style-type: none"> • Communication Strategies • Communication styles, body language, demeanor, and non-verbal aspects of communication • Demonstrate cultural competence • Discuss ways that communication affects advocacy; recognize how perception affects advocacy.

Competency 3d. Trainee will be able to conduct a meaningful independent investigation.	
Objectives – Trainee will be able to...	Essential Training Topics
1. Effectively interview children/youth and begin to build rapport from the outset of the case.	<ul style="list-style-type: none"> • 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.	<ul style="list-style-type: none"> • 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.	<ul style="list-style-type: none"> • 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.	
Objectives – Trainee will be able to...	Essential Training Topics
1. Manage cases and caseloads appropriately and implement administrative efficiencies into daily practice.	<ul style="list-style-type: none"> • 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.	<ul style="list-style-type: none"> •
3. Address self-care concerns by recognizing and managing secondary trauma and compassion fatigue.	<ul style="list-style-type: none"> • Use OCR resources such as on-line trainings. • Use COLAP – CO’s Lawyers Assistance Program
4. Comply with OCR’s policies and procedures.	<ul style="list-style-type: none"> • OCR Billing Policies (New Attorney Training)
5. Achieve efficiencies in practice through the use of OCR supports.	<ul style="list-style-type: none"> • Use OCR supports (GRID, motions bank, listserv, staff).