

# OCR'S CASE CONSULTANT PROGRAM

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## PROGRAM INTRODUCTION

- UPDATE ON CC PROGRAM
- CONTRACTOR STATUS
- GETTING STARTED AS A CC
  - Overview of job
  - Guidance on how best to work with an attorney
  - Role in different stages of a case
  - Guidance on role specific activities

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## BILLING

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- Allowable activities for billing are in CARES help center:  
<https://ocr.zendesk.com/hc/en-us>
- Also see billing manual:  
<http://www.coloradochildrep.org/attorney-center/billing/>
- Be aware of what you can and can't bill for.
- Don't wait till the last minute to submit your invoice!
- Due by the 15<sup>th</sup> of the following month.

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## THE ROLE OF THE CASE CONSULTANT

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### Questions from yesterday?

Role of the GAL  
CJD 04-06



### Relationship between CC and Attorney

Decision making  
Communication strategies  
Boundaries  
Working with multiple GALs  
Confidentiality  
When GAL and CC disagree; professional relationship tips



### Case staffing with Alex & other CCs

Confidentiality

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## EQUITY, DIVERSITY, INCLUSION & IMPLICIT BIAS

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- All case types. They say the law is blind. Doesn't mean you should be.
- How does your role try to address the inequity?
- Consider: race, LGBTQ+, language/culture, poverty, religion, etc.
- Do not fear the elephant in the room.
- The facts are the facts with disproportionality and conscious/unconscious bias.
- No one's perfect, all can revisit and try to be self-aware.
- No one knows everything about every culture, be willing to hear/learn.
- If you see patterns of bias, please let me know.
- OCR resources and information on our page.
- We have DEI Committee if interested.

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## STAGES OF A DEPENDENCY & NEGLECT CASE

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Shelter / PPP

Adjudication

Dispositional

Permanency

Review

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## BEGINNING OF CASE – SHELTER HEARING

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- A.K.A. Emergency Hearing, Preliminary Protective Proceeding, Temporary Custody Hearing, etc.
- Limited information
- Purpose: who has or will have custody, where are the child(ren) placed
- Attorney appointment & first steps
- Are there Orders of Protection or other orders to be aware of
- Visiting schedule and what it may look like

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## BEGINNING OF CASE – ROLE OF THE CC

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- Develop relationship and best communication style with attorneys
- Get notice as early as possible about concerning petitions, if able be at court to meet people.
- Is info in petition, correct?
- Get contact info and reports.
- Earlier intervention better, might affect outcome at initial court date
- Services to prevent separation, support family, address trauma, mental health, addiction, prosocial activities, positive connections in the family and community.
- What are concerns to be addressed or strengths to build off?
- Short-term, long-term ideas?
- If need of services, begin setting them up ASAP

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## ADJUDICATORY HEARING

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- General timeframe
- Purpose
- Potential associated activities – what might an attorney need from a CC at these times? Generally.

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## DISPOSITIONAL HEARING

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- General timeframe
- Purpose
- Potential associated activities – what might an attorney need from a CC at these times? Generally.

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## PERMANENCY PLANNING HEARING

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- General timeframe
- Purpose
- Potential associated activities – what might an attorney need from a CC at these times? Generally.

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## REVIEW HEARINGS

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- General timeframe
- Purpose
- Potential associated activities – what might an attorney need from a CC at these times? Generally.

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## GAL INDEPENDENT INVESTIGATION

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- GAL obligations per the CJD 4-06
- Timeframe: GAL must see kids in placement within 30 days, complete initial investigation within 45 days

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## CC CO-INVESTIGATION

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- CC can aid in all investigation activities.
- See CJD Checklist: What can a CC do? What must the GAL do?
- Strategize with the attorney: What are they doing/what are you doing?
- Next steps between you and attorney: who does what, when.
- What is the best way to communicate with the attorney?  
Frequency?

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## INFORMATION GATHERING

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- Review documents
- Services
- What services might be helpful/needed
- Are current services adequate or appropriate, if already in place?
- Were there services, what was their effect and outcome?

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## ENGAGEMENT

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**Child/Youth &  
Parents**

**Placement**

**Family & Community  
Supports**

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## VISIT PREPARATION: SAFETY AND STRATEGY FOR ENGAGING CHILD, FAMILY & COLLATERALS

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- With or without Attorney
- Best time/day to go?
- Who all am I seeing and what's their part in the family?
- What are your priorities for info that you need? You may not cover everything you want.
- Plans for privacy.
- What info can I share, should I share with other parties, especially if represented?
  - Exchanging contact info, getting other professionals to contact, setting future appointments are generally safe topics.
  - Depending on the relationship maybe treatment goals, school, helpful resources.
  - **Don't** discuss child's statements without their permission.
  - Evaluate and talk with attorney whether releasing detailed info.
  - When in doubt- Let me touch base with the attorney and get back to you
  - Are there MH, Cognitive, trauma triggers, etc. issues, I need to be mindful of?
- Are there potential triggers for me?

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## CHILD/YOUTH

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- Building rapport with child talked about yesterday. Helpful tips to share with others?
- Explain CC role, attorney role, and best interest representation\*. (**Revisit again in early meetings**)
- Do you have questions? Anything I should know right away?
- What is their story? What do they think can help them? How?
- We'll be meeting again and talking more. I'll be talking to others to help get to know you. If I need to see you in school, how should I do that?
- If you have to talk about sensitive information early, explain why. If not, alert that you may have to over time.
- Where do they like to eat/hang out for future meeting.
- Possibly more contact in the beginning than later.

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## PARENTS

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- Talk with parents, unless prohibited.
- What's your relationship going to be like?
- Amount of communication wanted/boundaries.
- How do you and the attorney work with the parent, different approaches?
- Be clear on CC role and attorney role.
- Be clear on the difference between you and DHS.
- What do they think will be helpful?
- Who's considered part of the family?
- Are there community supports?

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## PLACEMENT

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- Out of home placement: relative or kin placement, foster family, residential.
- Potential placement provider.
  - Intro/explain role, do they have immediate concerns, set up a visit.
  - ICWA or ICPC information best early, don't solely rely on DHS.
- Observing parents with kids. (**NOT** supervising visits)
- Generally, an unnatural situation.
- Might consider acknowledging the awkwardness.
- Recommendations on visits.
  - Are there safety concerns?
  - Can visits be increased?

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## FAMILY

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- Identify and talk with relatives
- Explore and keep exploring for additional members. Kin is broadly defined in Colorado.
- Who is important and the specifics as to why they are important to get full picture?
- Who can be support for struggling kids and parents?
- Short or longer term. Can anyone be a respite option?
- Keep family connection even if not fulltime resource.
- Who can help with transportation for visiting, for appointments, for employment.

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## COMMUNITY RESOURCES

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- Talk with CW, School, Therapist, CASA, community resources, etc. ASAP.
- Understand what you can and can't share and be prepared to be vague or redirect to appropriate people. **When in doubt say not sure and will touch base with Attorney.**
- Are there visiting resources if out of home?
- Are there people able to help support the family?
- Short or longer term. Can anyone be a respite option?
- Who can help with transportation for visiting, for appointments, for employment.

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## PETITION/CASE FACTS EXERCISE

- WHAT DO YOU SEE?
- WHAT INITIAL QUESTIONS OR PLANS DO YOU HAVE?

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## RELATIONSHIP BUILDING: ONGOING CONTACT

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- Don't assume things stay static, revisit topics when making plans.
- Are there new resources?
- How are things going, new ideas, what do they think is best?
- What do they/you think will be a struggle?
- Where are we in stage of case? What's next, your thoughts? Bigger picture?
- Repeat above for each substantive court date.
- Court appearance, why it could be helpful to appear, how to overcome obstacles to court.
- What did you think of court? Next time?
- What are we doing in-between court dates? Who does what and when?
- If there are problems, please reach out to me first, unless maybe defense assigned.
- Revisit role in context to questions and plans. I'm doing this because, I'm asking this because...

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## ENDING OF CASE

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- Case outcomes/permanency plan options
- Resources, resources, resources.
- Who, where, when, why, how will resources support them long term?
- When the attorney and CC role ends, who can offer support?
  - You are not the ongoing resource.
  - You are supporting independence and self-sufficiency.
- Closure prep, and closure.

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## JD DIFFICULT CASES

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- Sex offense, arson, murder, or general violent offense charges.
- Working with the “guilty”, your comfort level and How to be objective
  - Check personal beliefs.
  - Who is this youth?
  - How did they get here? Biopsychosocial understanding.
  - Difference between what’s on paper and the person.
  - How can they be successful? Strengths of theirs, family, community.
  - If things aren’t working, addressing issues early.
- CO Supreme court said lifetime SO registration unconstitutional.

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## STAGES OF JD

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- Role of the GAL is different
- Timeline & requirements are different
- Youth needs to be seen within 7 days if in detention
- Even a short time in detention can have long term effects
- Same early intervention goals
- Same youth as D&N

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## RELATIONSHIP WITH DEFENSE TEAM

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- Decision making
- Are they engaged? Are they overloaded with cases?
- Work out communication and common goals in conjunction with GAL.
- Clarify defense & GAL roles with youth, double, triple check they understand, revisit.

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## INVESTIGATION

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- **NO** facts about the case!!
- Engagement with youth and families
- If no defense team yet (only an existing D&N)
  - Contact GAL 1<sup>st</sup>!
  - Plan for who reaches out to police and parents (if applicable) to go over rights, and reasons to wait for defense lawyer.
  - Don't wave rights. Not in their best interest.
  - Are there services/resources to avoid detention?
  - Obtain additional info (great school attendance, therapy, after school activities) ASAP
  - Coordinate with defense team, **after** talking with GAL on plan.
  - What are caregivers' current opinion?
- Discuss this with D&N only kids and foster parents also, just in case.

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## DETENTION CONSIDERATIONS

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- Generally, not in youth's best interest. OCR policy is to find other placement; detention should generally be advocated against.
- If detention is inevitable, or extreme circumstances make detention potentially best interest: How should CC visitation be a part of near-term plan?
- Who is visiting from family/support network, any barriers?
- Potential concerns & things to address: medication, school needs, mental health needs.

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## NEXT STEP CONCRETE PLANS

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- What you need from the youth
- What you will be doing as a CC on their behalf
- Next update/goals for maintaining while in detention and longer-term disposition (revisited ongoing)
- Resources? Revisit.

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## SERVICES FOR RELEASE

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- What's available?
- What is realistic/won't hurt them in court? Avoid setting up for failure.
- School, religious, community, informal (barber shop)
- Account for their time if released, ideally productive and not just monitoring
- Who's supervising and when, detailed plan if need be (i.e., S.O.)

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## OUT-OF-HOME PLACEMENT

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- If out-of-home placement unavoidable, preparing for the inevitable with youth and family.
- Supports
- Be able to break down program and short-term goals.
- How to support while away?
- Are there barriers to visiting?
- Who can help in that role?
- What is the plan for holidays, birthdays, etc.?

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## THE PLACEMENT

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- QRTP process.
- What type of placement is helpful?
- What are services and how are they matched with need.
- Who are resources for release/step down, get involved early/revisit?
- What are any obstacles to release?
- When are reviews of placement being conducted?
- Concrete steps with youth, clear on limitations, revisit
- What are the details of release?

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## RELEASE: AND THEY ARE OUT.

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- How do you avoid it again?
- Do ***not*** forget the detention experience when things are good.
- What do you need to do to stay out?
- Who is a support and positive?
- Triggers to avoid, people/places.

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## SOME BASICS

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- Read the billing manual.
- Review CARES introductory information. Requesting and being granted access.
- CC request procedure.
- Conflict responsibility.
- CC End of Assignment, Attorney Feedback form, general data tracking.
- Individual and group meetings.
- Training requirements.
- Always feel free to reach out. Email is good. Phone/text for time sensitive questions or concerns.

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# QUESTIONS?

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