

# 2024 OCR SPRING CONFERENCE: NAVIGATING COMPLEX SYSTEMS & CASE DYNAMICS

FRIDAY, APRIL 26, 2024 | VIRTUAL VIA ZOOM

**8:45-9:00 am | Welcome**

Chris Henderson, OCR Executive Director

**9:00-10:00 am | Growin' Up!**

Adrian McLemore, Lived Expert and National Consultant

To join: Same link as above for the "Welcome" session

In this session, lived expert and national speaker Adrian McLemore will discuss how his foster care experiences prevented his permanent placement in a loving home and the lessons learned from system failures. Mr. McLemore will also discuss his experience as a kinship provider for his nieces and nephews, which became the foundation for developing a philosophy that focuses on permanency connections, ongoing supports, and maintaining relationships before, during, and after adoption or kinship placement.

**10:00-10:30 am | Break**

**10:30-11:20 am | Breakout 1**

## **Resist & Refuse Dynamics, Parent Child Contact Problems, Parental Alienation: What's an Attorney to Do?**

Mindy Mitnick, EdM, MA

*Please Note: This session is specific to CLR/domestic relations cases. Not applicable to D&N cases\**

One of the biggest challenges for family law professionals is the case involving a child who is resisting or refusing contact with a parent. Even the terms we use to describe the case can be confusing: resist/refuse dynamics, parent-child contact problems, and parental alienation. This workshop will provide a framework for understanding the complex dynamics in these cases from a family systems perspective that will assist you in assessing the issues and making recommendations in the child's best interests.

## **The Importance of Resolving Paternity Early in D&N Cases**

Debra Dodd, Esq. | Gina Hickman, Esq.

OCR appellate attorney, Debra Dodd, will present recent case law and appellate data showing the appellate implications of *not* resolving paternity early in a case, as well as legal processes, presumptions, and court findings that should be made. Denver trial attorney, Gina Hickman, will discuss in-and-out-of-court advocacy tips, family engagement obligations and independent investigation activities, and the impact on permanency for children and youth. Both attorneys will offer best practices for litigation and advocacy specific to the role of the GAL/CFY.

**11:20-11:40 am | Break**

**11:40-12:30 pm | General Session**

## **The Psychotherapist-Patient Privilege: Advocating for the Right to Privacy for Children and Youth**

Chris Henderson, OCR Executive Director | Sheri Danz, OCR Deputy Director

Over 10 years after the L.A.N. v. L.M.B. decision, litigation persists regarding the applicability of the psychotherapist-patient privilege, the appropriate holder of the privilege for children and youth, waivers of their privilege and their scope, the use of privilege logs, the applicability of the decision to non-D&N proceedings, and the interaction of privilege and confidentiality. This section will briefly review the basics of the Colorado Supreme Court's decision in L.A.N. and offer some analysis of these recent litigation topics that is grounded in guidance offered by the decision itself, other caselaw and statutes, and the purpose of the privilege and why it matters to children and youth.

**12:30-1:00 pm | Lunch Break**



# 2024 OCR SPRING CONFERENCE continued...

1:00-1:50 pm | Breakout 2

## Advocacy for LGBTQ+ Clients 201: Conversations About Identity, Advocacy Strategies, and Holding the System Accountable

Currey Cook, Esq., Senior Counsel & Director of Youth in Out-of-Home Care Project, Lambda Legal

We welcome back Currey Cook to present a "201" session in follow up to his presentation at OCR's 2023 Fall Conference. The workshop will provide an opportunity to learn about and incorporate best practices and ideas from your colleagues into your representation of LGBTQ+ clients. Moving beyond the basics, we'll focus on techniques to improve interviewing and discuss advocacy strategies inside and outside the courtroom, including how to tackle some all-too-common challenges for LGBTQ+ youth involved with child welfare and juvenile justice systems such as lack of respect for identity, harmful placements, non-supportive providers, barriers to accessing gender affirming health care, and rejection by family. In addition, participants will brainstorm mechanisms to hold the system accountable to legal protections for youth and professional standards and how to address systemic issues.

## School Discipline & Disrupting the School-to-Prison Pipeline

Emily Harvey, Esq., Community Access & Youth Advocacy Attorney, Disability Law Colorado

This session will start by framing the issues related to the school-to-prison pipeline and how they relate to student discipline. Then, we will explain the legal requirements of the IDEA, ECEA, and Section 504 when students are disciplined at school. Finally, we will discuss how this information can be used to help disrupt the school-to-prison pipeline.

1:50-2:30 pm | Break

2:30-3:20 pm | Breakout 3

## The Youth Advocate's Guide to Noteworthy DYS Policies: How the Sausage is Made

Katie Hecker, OCR Youth Justice Attorney | Effie Seibold, Office of the State Public Defender

Day-to-day operations at the Division of Youth Services are governed by internal policies rather than statute; those policies can have a significant impact on a young person's progress while in custody, and on their long-term outcomes. In this session, Effie Seibold of the Office of the State Public Defender and Katie Hecker of the Office of the Child's Representative will highlight DYS policies that practitioners should be particularly aware of and provide tools for using the policies to advocate for the best interests of committed and detained children.

## Preparing for Transition from Child Welfare to Adult Disability Systems

Matt Cloven, Education & Disability Case Consultant | Adam Graber, Esq.

**\*EDICLE\*** Individuals living with certain disabilities, including court-involved youth and their families or caregivers, may have access to financial and case management assistance through public entities, which provide above and beyond the coverage included with standard Medicaid. Medicaid waivers and other services are designed to provide our eligible clients with a variety of funding and services based on their individual needs. This session will describe the steps involved in determining whether the youth you work with may be eligible for these programs, how to begin to navigate who the players are in the disability system, and how to make the transition from the youth system to the adult system as smooth as possible.

Thank you!

How did we do? Let us know on our short feedback survey!



<https://www.surveymonkey.com/r/ZWMZNQ7>



# 2024 OCR SPRING CONFERENCE

## SPEAKER BIOGRAPHIES

### **Cloven, Matt**

#### **OCR Education & Disability Case Consultant**

Matt Cloven has worked with people with disabilities of all ages for approximately 20 years. In this time, he has helped families, individuals, and professionals navigate the many systems that impact people with disabilities. Some of these systems include education (special education and 504), justice (restoration of competency educator, ADA expert and consultant in child welfare cases), and public services (Medicaid, DVR, SSI). Matt has been a disability advocate and consultant professionally since 2014 and has provided educational and systems support, as well as disability-specific training for families, GALs, and child welfare and community-based provider agencies across Colorado. Though much of his knowledge comes from this work, Matt also has certificates from attending the William & Mary Law Institute of Special Education Advocacy. He is also a certified assessor for Child and Adolescent Needs and Strengths (CANS) and is a Court Visitor for guardianship and conservatorship probate cases in Larimer County. He holds his Masters in Cultural History and Philosophy.

### **Cook, Currey**

#### **Senior Counsel & Director of Youth in Out-of-Home Care Project | Lambda Legal**

Currey Cook (he/him) is Senior Counsel and Director of the Youth in Out-of-Home Care Project at Lambda Legal, where he advocates on behalf of and collaborates with LGBTQ+ youth in child welfare, juvenile justice settings, and experiencing homelessness. He works at the state and federal level and achieves systemic improvement through a mix of litigation, proactive law and policy development, and training for professionals, including child advocates, working with youth in out-of-home care and receiving government-funded services. Prior to his work at Lambda, Cook was an attorney with the Office of Public Advocacy (OPA) for twelve years in Anchorage, Alaska. Cook worked as a juvenile defense attorney and guardian ad litem and later as supervising attorney of OPA's Child Advocacy Section. In 2009, Cook became the Co-Director of the Bronx office of The Children's Law Center New York, a non-profit law firm representing children in New York City Family Court. Additionally, Cook served as a consultant to The National Juvenile Defender Center (now Gault Center) in Washington, D.C. Cook co-authored *Safe Havens: Closing the Gap Between Recommended Practice for Transgender and Gender-Expansive Youth in Out-of-Home Care*, a groundbreaking report capturing legal protections for youth at the state level and sharing the voices and lived experiences of trans youth in care. He is a member of the board of directors for the National Association of Counsel for Children and the American Bar Association's Children's Rights Litigation Committee. Cook graduated from the University of Georgia with a journalism degree and Mercer University Law School in Macon, Georgia.

### **Danz, Sheri**

#### **Deputy Director | Office of the Child's Representative**

Sheri Danz is proud to be a part of the Office of the Child's Representative's amazing team. As Deputy Director, she supports all efforts to fulfill the agency's mission and mandates and has had the opportunity to serve on numerous statewide committees, publish resources (such as Colorado's Guided Reference in Dependency), and work with incredible children's attorneys throughout the state. Sheri's legal advocacy on behalf of children and youth includes representing young people in child welfare and other civil matters as a Skadden Fellow/staff attorney at the Legal Aid Chicago; representing children in delinquency proceedings at the Colorado State Public Defender's Office; and advocating for youth in public benefits, child welfare, and other civil proceedings at the Door's Legal Services Program, a multidisciplinary youth services center in New York City. Sheri has also worked on issues regarding parents' counsel at the Office of the State Court Administrator in Colorado. Prior to law school, Sheri taught special education in rural North Carolina through the Teach for America Program. Sheri is a graduate of New York University School of Law, where she received a Root-Tilden-Kern public interest scholarship and served as a member of the New York University Law Review. After graduating from law school, she clerked for the Honorable Gene Carter, United States District Court Judge for the District of Maine.

### **Dodd, Debra**

#### **OCR Appellate Attorney**

Debra Dodd has twenty-seven years of legal experience; twenty of them in child welfare. After seven years as a Deputy District Attorney in Adams County, Debra left criminal law to become a Guardian ad Litem in 2004 in Weld and Boulder counties. In the 19th Judicial District, Debra was a member of Weld County's Family Treatment Court and the District's Best Practices Team. In 2017 Debra was appointed as a part-time magistrate for the 19th Judicial District, with a docket focusing on paternity, child support, and child custody matters. Off the bench, Debra shifted her practice from being a trial GAL to appellate work for both OCR and ORPC. In 2021, Debra dropped her ORPC contract and added a contract with Boulder County, where she serves as a Special County Attorney representing the Department in Boulder County's dependency and neglect appeals. Debra has authored countless briefs, frequently argues before the Colorado Court of Appeals, and is proud to have fifteen published cases. She has previously presented trainings on a wide range of child welfare issues for both OCR and ORPC. Currently, Debra works full-time as a certified Level II appellate attorney for OCR's Appellate-Litigation Support Team. When not working on a brief, Debra enjoys spending time with her husband, four daughters, and one lazy dog, in Berthoud, Colorado.



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### Graber, Adam

#### OCR Attorney Contractor

Adam Graber is a practicing GAL/CFY in the 8th Judicial District, Larimer and Jackson counties. Originally from Chicago, Adam spent a few years as a Banana Slug in the hills outside of Santa Cruz, California where he graduated with a bachelor's degree in Anthropology. He then attended the Sturm College of Law at the University of Denver and received his JD in 2015. Adam has dedicated his legal career to child and youth issues, first as a law school intern in the delinquency court working for the Honorable Magistrate Jostad in Larimer County, then as an Equal Justice Works fellow with the Transformative Justice Project (formerly the Colorado Juvenile Defender Center). Adam began working as a GAL in 2017, and primarily accepts appointments in the D&N court, with some crossover delinquency and adult GAL cases. Adam has recently expanded his practice to include work with undocumented immigrant youth by assisting them in obtaining predicate orders at the state level, opening the door to the application for federal Special Immigrant Juvenile Status (SIJS).

### Harvey, Emily

#### Community Access & Youth Advocacy Attorney Team Leader | Disability Law Colorado

Emily Harvey initially joined Disability Law Colorado in March of 2014, and after pursuing an opportunity to work as an attorney at the Office for Civil Rights with the U.S. Department of Education in 2020, returned to DLC in June of 2021. Emily currently supervises DLC's legal work relating to youth advocacy, housing, employment, and public accommodations. Emily is also an adjunct professor at the University of Denver where she teaches a disability rights law seminar.

### Hecker, Katie

#### Youth Justice Attorney | Office of the Child's Representative

Katie Hecker has dedicated her legal career to providing compassionate, competent, and proactive legal representation of the best interests of children, and the expressed interests of the accused. From 2011 to 2017, Katie was an attorney at the Brighton regional office of the Colorado State Public Defender, proudly serving as defense counsel for children accused of crimes in both delinquency and direct file cases. In 2018, after a year at the State Court Administrator's Office providing support and education to Colorado's problem solving court teams, Katie became a Guardian ad Litem. As a GAL, Katie specialized in delinquency and direct file proceedings. In September 2022, Katie started as OCR's first Youth Justice Attorney and focuses her work on creating a more compassionate and equitable system of justice for youth and their families. Katie received her Bachelor of Arts in Political Science from the University of Michigan in 2004 (Go Blue!), and her Juris Doctorate from Northeastern University in 2011. At Northeastern, she interned for public defender agencies in Alaska and Seattle, for the Honorable Judge Norman Stahl in the First District Federal Court of Appeals in Boston, and trained first-year law students in the application of their skills to real-world social justice movements. In her free time, Katie enjoys camping, riding bikes on dirt, spending time with her family and pets, and playing the ukulele (poorly).

### Henderson, Chris

#### Executive Director | Office of the Child's Representative

Chris Henderson has dedicated his legal career to children's issues. His legal practice has focused on representing children's best interests in dependency and neglect and delinquency proceedings. In 2016, he founded and was the managing partner of Child Advocates of Colorado. Mr. Henderson has provided strategic leadership and directed operations for a team of attorneys, social workers and support staff to provide quality multidisciplinary representation for hundreds of children involved in the court system. Prior to relocating to Colorado, Mr. Henderson was a staff attorney with the Children's Law Center of Los Angeles where he represented numerous children and served as lead attorney for the first dependency drug court in Los Angeles County. Before attending law school, Mr. Henderson was a therapist for children and adolescents, providing therapy for in-patient children and adolescent psychiatric patients. In July 2018, Mr. Henderson was selected by the Board of Directors to be the new Executive Director of OCR. Mr. Henderson attended Colorado State University, receiving a Bachelor of Science degree in 1994. He obtained a Masters of Arts Degree from the University of Denver in 1998. He received his Juris Doctor Degree from Whittier Law School in 2004 graduating summa cum laude.





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## SPEAKER BIOGRAPHIES

### Hickman, Gina

#### OCR Attorney Contractor

Gina Hickman has been practicing law for nearly 19 years. She started her career as a Deputy District Attorney for the 18th Judicial District. In that role, Gina prosecuted traffic, misdemeanor, and felony cases for 7 years. In 2012, she became a Guardian ad litem (GAL), and in 2016 established the Law Office of Gina N. Hickman, LLC. As an Office of the Child Representative (OCR) contract attorney, Gina fulfills the role of GAL, Counsel for Youth and Child Legal Representative in Dependency & Neglect, Domestic Relations, Truancy and Paternity cases accordingly. In 2019, she was honored with the "Standing Up for Kids Award" by OCR. Gina was appointed as a Relief Judge for Aurora and Edgewater Municipal Courts in January 2023 and December 2024 respectively. As a Judicial Officer, she presides over city code violation cases including those involving domestic violence. Prior to attending law school, Gina was an Associate Scientist in the disciplines of Molecular Biology and Immunology. Gina earned her Bachelor of Science in Biology with an emphasis in Medical Microbiology from the University of California, Davis and her Juris Doctorate from the University of Denver, Sturm College of Law. Gina is a California native and enjoys spending time with her husband and son. She participates in her local community as a member of Alpha Kappa Alpha Sorority, Incorporated and as a Board Member of the Cherry Creek School District's Criminal Law and Justice Advisory Board where she also served as the President for over 5 years. Gina is currently a member of the Family, Juvenile, and Probate Law Inn of Court.

### McLemore, Adrian

#### Lived Expert, Speaker, Trainer, Consultant

Adrian McLemore has an intimate and deep understanding of the foster care {child welfare} system. At just six years old, Adrian found himself in a foster home. For the next 12 years, he lived in three states, bouncing between his parents and the system, eventually aging out of foster care. Then at 21, he responded to a call to become a kinship caregiver for his niece and nephew, who were both toddlers at the time. From these experiences, Adrian has become a champion for ensuring young people are part of the foster care conversation. He has taken what is inherently personal for him and made it his life's work. Adrian's life's work and mission is to share the knowledge that everyone is a kinship care provider, and we all have a role to play in achieving better outcomes for youth and families.

### Mitnick, Mindy

#### Licensed Psychologist

Mindy F. Mitnick is a Licensed Psychologist practicing in Minneapolis. She received a Master of Education from Harvard University and a Master of Arts from the University of Minnesota. She specializes in work with families in the divorce process and with victims of abuse and their families. She has been a speaker for the National Child Protection Training Center, Office of the Children's Lawyer in Canada, the American Academy of Matrimonial Lawyers, and numerous statewide multidisciplinary training programs. Ms. Mitnick has written and taught extensively about the assessment of child sexual abuse allegations during custody disputes. Ms. Mitnick served as a member of the Minnesota Custody Dialogue Group that rewrote the state's Best Interest Factors and co-chaired the Child-Focused Parenting Time Guide workgroup. Ms. Mitnick is past President of the Association of Family and Conciliation Courts.

### Seibold, Effie

#### Deputy State Public Defender, Training Director | Office of the State Public Defender

Effie Seibold earned a Masters Degree in Journalism from the University of Colorado in 2003, and during the course of that program taught undergraduate students about critical thinking and writing and co-authored a study of the history of Colorado's death penalty. She very quickly realized she did not want to write about the amazing work of public defenders, she wanted to be one. She received her JD in 2007 from the University of Colorado, interning at the Colorado State Public Defender's Office her 1L, 2L, and 3L years and very happily becoming a deputy public defender in the Golden trial office in 2007. Effie spent 11 very fulfilling years in the Golden office and was the county court supervisor when she joined the training team in the state office in 2018. As a training director, Effie spends her time divided between training youth defenders, interns, county court lawyers, and district court lawyers. She also serves as the public defender representative on the Juvenile Justice and Delinquency Prevention Council, the juvenile code review subcommittee, the Division of Youth Services Policy Review Committee, and attends a variety of juvenile policy meetings where there is any opportunity to throw sand in the gears.

