

# **STATE OF GEORGIA PERFORMANCE STANDARDS FOR ATTORNEYS REPRESENTING PARENTS IN ABUSE AND NEGLECT CASES**

The purpose of these standards is to provide attorneys representing parents with a general guide to appropriate and zealous advocacy on behalf of clients in juvenile court deprivation and termination of parental rights cases.

## **Performance Standard 1: Obligations of Parent Attorney**

The primary and most fundamental obligation of a family defender is to provide zealous and effective representation for his or her client at all stages of the juvenile court proceedings. The parent attorney's duty is to promote and protect the parent's expressed interest. If personal matters make it impossible for parent attorney to fulfill the duty of zealous representation, he or she has a duty to refrain from representing the client. Attorneys also have an obligation to uphold the ethical standards of the State Bar of Georgia and to act in accordance with the Uniform Juvenile Court Rules.

## **Performance Standard 2: Training and Experience of Parent Attorney**

Deprivation and Termination of Parental Rights (TPR) cases should not be taken on without the adequate experience and knowledge necessary to represent the client zealously.

- 2.1** Before practicing in juvenile court, parent attorney should be proficient in applicable substantive and procedural Georgia juvenile law and federal laws relating to child abuse and neglect and should have appropriate experience, skills and training necessary to represent parents.
  - a.** At a minimum parent attorney should observe at least ten hours of juvenile court, including every stage of a deprivation/TPR proceeding. Parent Attorney should obtain a minimum of six hours per year of training in relevant areas of practice.
  - b.** It is highly recommended that parent attorney either work with a mentor before taking a case or have a mentor available to consult on a case.
  
- 2.2** Parent attorney should be knowledgeable about and seek ongoing training in the following areas:
  - a.** DFCS policies and procedures;
  - b.** Federal Regulations relating to DFCS and foster care;
  - c.** Services available to children and parents through the juvenile court and community;
  - d.** Child development;

- e. Adoption process/benefits available;
- f. Substance abuse, addiction recovery stages;
- g. Causes and available treatment for child abuse and neglect;
- h. Effective communication skills to communicate with child witnesses;
- i. Cultural competency;
- j. State and federal government benefits;
- k. Immigration laws relating to child welfare and child custody;
- l. Interstate Compact on Placement of Children;
- m. Medical and mental health care;
- n. Domestic violence;
- o. Disabilities.

- 2.3 Parent attorney should note that local juvenile court practices and procedures may differ.
- 2.4 Parent attorney has a continuing obligation to stay abreast of changes and developments in the law.
- 2.5 Before agreeing to act as parent attorney or accepting appointment by a court, parent attorney has an obligation to make sure that he/she has available sufficient time, resources, knowledge and experience to offer effective representation to a client in a particular matter. If it later appears that parent attorney is unable to offer effective representation in the case, he/she should move to withdraw.
- 2.6 If a conflict develops during the course of representation, parent attorney has a duty to notify the client and the court in accordance with the Uniform Rules of Court and in accordance with the Disciplinary Rules of the State Bar of Georgia.
- 2.7 If parent attorney is an Assistant Public Defender and parent attorney's caseload becomes so large that he/she is unable to satisfactorily meet these performance standards, he/she shall inform the Circuit Public Defender for parent attorney's judicial circuit and the court or courts before whom parent attorney's cases are pending. If the Circuit Public Defender determines that the caseloads for the entire office are so large that parent attorney is unable to satisfactorily meet these performance standards, the Circuit Public Defender shall inform the court or courts before whom cases are pending and the Director of the Georgia Public Defender Standards Council.

### **Performance Standard 3: The Role of Parent Attorney**

- 3.1 Parent attorney's principal duty is to zealously advocate the parent's fundamental liberty interest in the care and custody of his or her child.<sup>1</sup>

- a. Parent attorney is bound by and should advocate for the client's position, and may not substitute parent attorney's own judgment for the client's, nor should parent attorney ignore the client's wishes because they are perceived not to be in the client's or the child's best interests.
  - b. Parent attorney should advise the client as to the probable success and the consequences of adopting any position, and should give the client all information necessary for the client to make an informed decision.
- 3.2 In order to effectively advocate for the client and to provide suggestions for appropriate dispositional options, parent attorney should take a holistic approach, evaluating all factors which may have contributed to the allegations of abuse or neglect.

#### **Performance Standard 4: Relationship with Client**

Attorneys representing parents should show respect and professionalism towards their clients. Parent attorneys should support their clients and be sensitive to the client's individual needs. Attorneys should remember that they may be the client's only advocate in the system and should act accordingly.<sup>2</sup>

- 4.1 Parent attorney should explain the nature of the attorney client relationship to the parent, emphasizing that parent attorney works for the parent. Parent attorney should establish a reliable communication system that meets the client's needs.<sup>3</sup>
- 4.2 Parent attorney should meet and communicate regularly with the client well before court proceedings and advise the client as to all legal matters related to the case, including specific allegations against the client, the caseplan, the client's rights in the pending proceeding, any orders entered against the client and the potential consequences of failing to obey court orders or cooperate with caseplans.<sup>4</sup>
- 4.3 Parent attorney should adhere to all laws and ethical obligations, including the Georgia Rules of Professional Conduct<sup>5</sup>, concerning client confidentiality.
- 4.4 Parent attorney should act in a culturally competent manner and with regard to the socioeconomic position of the parent throughout all aspects of representation.
- 4.5 Parent attorney should take diligent steps to locate and communicate with a missing parent and decide representation strategies based on that communication.<sup>6</sup>

- 4.6** Parent attorney should be aware of the unique issues an incarcerated parent faces and provide competent representation to the incarcerated client.<sup>7</sup>
- 4.7** Parent attorney should be aware of the client's mental health status and be prepared to assess whether the client can assist with the case.<sup>8</sup>
- a.** Whether the client can assist parent attorney is a different issue from whether the client is able to parent the children, though the condition may be related to ability to parent.<sup>9</sup>
  - b.** In assessing whether the client can assist parent attorney, parent attorney may consult family members, consult with professional who can protect the client, and use a reconsideration period to permit clarification or improvement of circumstances<sup>10</sup>;
  - c.** In severe cases, where parent attorney determines that the client does not have the capacity to assist with the case, parent attorney may ask for a guardian ad litem to be appointed to the client. Since this action may have an adverse effect on the client's legal claims, the attorney should ask for a GAL only when absolutely necessary.<sup>11</sup>

#### **Performance Standard 5: Duty at Appointment**

- 5.1** Establishing and maintaining a relationship with the client is the foundation of the attorney-client relationship. Parent attorney should conduct an initial interview of the client within 72 hours of appointment.<sup>12</sup>
- 5.2** Many important rights of clients involved in juvenile court proceedings can be protected only by prompt advice and action. Parent attorney should immediately inform the client of his or her rights and the nature of the attorney client relationship, and should pursue any investigatory or procedural steps necessary to protect the clients' interests. Parent attorney should invoke the protections of appropriate constitutional provisions, federal and state laws, statutory provisions, regulations, and court rules on behalf of a client, and revoke any waivers of these protections purportedly given by the client as soon as practicable.<sup>13</sup>

#### **Performance Standard 6: Parent Attorney's Initial Interview with Client**

##### **Commentary:**

The initial interview is the first and most crucial opportunity to build rapport with the client. It is important to initiate face-to-face contact with the client as soon as possible after appointment.

- 6.1** In preparation for the interview, parent attorney should:
- a.** Schedule the interview to allow for ample time to speak with the

- client;
- b. Collect any relevant information to bring, including all records and releases;
- c. Be familiar with the elements of the allegations of abuse or neglect.

**6.2** At the interview, parent attorney should:

- a. Explain to the client the role of parent attorney. Thoroughly explain the confidential nature of attorney client conversations;
- b. Explain the allegations and possible dispositions;
- c. Explain the juvenile court process, timelines and the role of all the parties involved, such as the Judge, SAAG, DFCS staff, CASA and Child Advocate Attorneys;
- d. Instruct the client not to make statements to anyone concerning the case;
- e. Obtain signed releases by the client and parent for medical and mental health records, school records, DFCS records, employment records, etc. Parent Attorney should advise the client of the potential use of this information and the privileges that attach to this information;
- f. Obtain information from the client concerning the facts of the allegations, the accuracy thereof and any other relevant information including client's prior contact with DFCS;
- g. If the child has been removed parent attorney should inquire as to:
  - i. reasons for removal or intervention;
  - ii. reasonable efforts provided prior to removal or intervention;
  - iii. services the client feels would have avoided the need for removal;
  - iv. alternatives to removal, including relative placements, in-home services or removal of the alleged perpetrator;
  - v. current efforts to reunify the family;
  - vi. family history, including identity of prior caretakers of the child;
  - vii. services needed by the child, parent(s) or guardian;
  - viii. the client's concerns about placement;
  - ix. the client's long and short term goals;
  - x. current visitation and the client's desires concerning visitation.<sup>14</sup>

**Performance Standard 7: Parent Attorney's Duty at the 72 Hour Hearing<sup>15</sup>**

**7.1** In preparation for the 72 hour hearing parent attorney should:

- a. Immediately determine both the agency's and the client's version of the reasons for the child's removal;
- b. Determine the client's wishes regarding the child's placement,

- frequency of visits, and communication with the child;
- c. Inform the client of the nature of the proceedings as well as his or her Fifth Amendment rights;
- d. Be familiar with placement options and available community services.

**7.2** During the 72 Hour Hearing parent attorney should:

- a. Make sure incarcerated parents are present;
- b. Obtain copies of all relevant documents including copies of all previous orders;
- c. Take time to talk to the client, and ask for a recess or continuance if necessary;
- d. Assist the client in exercising the right to an evidentiary hearing to demonstrate to the court that the child can be returned home without further danger;
- e. Where appropriate, present facts and arguments regarding:
  - i. jurisdictional sufficiency;
  - ii. adequacy of notice provided to parties;
  - iii. necessity of shelter care;
  - iv. alternatives to shelter care to be explored such as relative placement, intensive in-home services and mediation;
  - v. why it is in the best interests of the child to remain home;
  - vi. whether reasonable efforts were made to prevent removal;
  - vii. whether reasonable and available services can prevent or eliminate the need to separate the family;
  - viii. whether the placement proposed is the least disruptive and most family-like setting that meets the needs of the child;
  - ix. the possibility of placement with appropriate non-custodial parents and relatives;
  - x. arrangements for visits if the child is to remain out of the home;
- f. Ensure that any services or needs of the family are met by the responsible agencies if the child is returned to the parents;
- g. Request scheduling and notice of case plan meeting;
- h. Request the date and time for the adjudicatory hearing.<sup>16</sup>

**Performance Standard 8: Parent Attorney's Duty to Investigate**

Parent attorney should conduct a thorough and independent investigation at every stage of the proceeding. Parent attorney should not rely solely on the report of the case manager.<sup>17</sup>

**8.1** Parent attorney should conduct an in-depth interview with the client covering:

- a. The events giving rise to the allegations in the petition;
- b. The existence of witnesses or other potential sources of

- information;
  - c. Information about the child's current placement, condition and needs.
- 8.2** Parent attorney should ask for and review the agency's case file as early during the course of representation as possible and should periodically check for additions to the file by the agency.
- 8.3** Parent Attorney should be knowledgeable as to what documents and information the agency is mandated to provide pursuant to statutory and case law.
- 8.4** Parent attorney should be familiar with and, where appropriate, obtain the assistance of local juvenile and mental health experts who can provide attorneys with consultation, evaluation of the client or other parties, parent-child interaction assessments, and testimony on issues in the case.
- 8.5** Parent attorney should interview all potential witnesses including adverse witnesses.
- 8.6** Parent attorney should obtain information and records from representatives of other agencies with which the family has been involved.

#### **Performance Standard 9: Discovery**

Formal discovery in Deprivation and TPR cases is governed by Georgia Uniform Juvenile Court Rules Section 7. Parent attorney should know what information is needed to prepare for the case and understand the best methods of obtaining that information in the jurisdiction, through either informal or formal discovery.

#### **Performance Standard 10: Parent Attorney's Duty at Adjudicatory Hearing**

- 10.1** In preparation for the adjudicatory hearing parent attorney should:
- a. Develop a theory of the case;
  - b. Confirm legally sufficient service to the client, and adherence to legally mandated timelines;
  - c. Thoroughly prepare the client for the hearing;
  - d. Request pre-trial conferences, when necessary;
  - e. File any appropriate pre-trial motions;
  - f. Review the DFCS file;
  - g. Identify and interview all appropriate parties;
  - h. Explore alternative placement options;
  - i. Develop recommendations for progress of, or resolution to the case;
  - j. Talk with the Guardian ad Litem and/or CASA;
  - k. Issue subpoenas for witnesses, as needed, for trial;
  - l. Identify need for experts and seek necessary funding;
  - m. Where a child is a witness, meet with the GAL to minimize stress on the child and parent;

- n. Request other process diversions, when appropriate, such as mediation;
- o. Discuss the court process with the parent;
- p. Review applicable law, including the rules of evidence, supporting case law and the statutory burden of proof;
- q. Coordinate with attorney handling a corresponding criminal case, if any, and be mindful of the consequences with regard to any prosecution of the client;
- r. Prepare proposed findings of fact, conclusions of law and orders when they will be used in the court's decision or may otherwise benefit the client.

**10.2** At the adjudicatory hearing parent attorney should:

- a. Have all relevant materials available, including all pleadings, discovery, investigative reports and relevant statutes;
- b. Advance the theory of the case through opening statement, direct and cross examination of witnesses, introduction of relevant evidence and closing argument;
- c. Make all appropriate motions and evidentiary objections;
- d. Preserve legal issues for appeal as appropriate;
- e. Take all necessary steps to ensure full official recordation of all aspects of the court proceeding;
- f. Request that the court state its expectations of all parties;
- g. Request that the court articulate for the record the findings of fact which support the court's ruling;
- h. If the child is removed from the home, request that the court articulate for the record the barriers to reunification.

### **Performance Standard 11: Parent Attorney's Duty at Disposition**

**Commentary:**

The active participation of parent attorney at disposition is essential. In many cases, parent attorney's most valuable service to clients will be rendered at this stage of the proceeding. An important part of representation in a deprivation case is planning for disposition.

**11.1** In preparation for the disposition hearing parent attorney should:

- a. Obtain the case plan and ensure that the goals for reunification are consistent with the reasons for removal;
- b. Review the placement recommendations and identify alternative placements, if necessary;
- c. Ensure that the case plan clearly states the service obligations of DFCS to address the reasons for removal;
- d. Ensure that the case plan sets forth objective criteria for the child's return;
- e. Ensure that the case plan clearly states the requirements of the

- f. parents to address the reasons for removal;
- f. Ensure that the case plan includes timeframes for both DFCS and the parent to complete the case plan requirements;
- g. Obtain recommendations of professionals, including medical and psychiatric care providers and teachers, if necessary;
- h. Prepare proposed findings of fact, conclusions of law and orders;
- i. Review any proposed orders submitted by other parties.

**11.2** During the dispositional hearing parent attorney should:

- a. Review the case plan on the record;
- b. Ensure that the case plan is still appropriate and consistent with the reasons for removal and that both DFCS and the client's obligations are set out in the case plan;
- c. Ensure early and adequate provision of services;
- d. Ensure that the orders are clear and specific, using language that the parent understands;
- e. Advocate for a meaningful visitation plan that best fits the needs of the individual family;
- f. Address issues relating to placement, services, transportation, housing, time frames, medical needs, educational needs and counseling;
- h. Request appropriate services from DFCS to address the causes of removal;
- i. Appropriately object to provisions of the case plan that the client objects to or cannot comply with;
- j. Ensure that the client understands the case plan, the client's responsibilities and the potential consequences of failing to comply with the case plan or the timelines.

**Performance Standard 12: Parent Attorney's Duty at Review Hearings**

Commentary:

Review hearings are court proceedings that take place after disposition in which the court reviews the status of the case. In many counties, this hearing is delegated to citizen review panels which do a full review of the case and make recommendations to the judge. The judge will then review the same case on paper with the panel's recommendations and will issue an order incorporating those recommendations, if appropriate.

**12.1** For citizen review panels parent attorney should:

- a. Request notice of the panel meeting;
- b. Prepare for and participate in the meeting when warranted;
- c. If necessary, provide information in writing to the panel;
- d. Discuss the proceeding with the client before and after the review;
- e. Have client collect information on progress made on case plan and goals achieved to present to DFCS prior to the review, and to the

- panel at the review;
- f. Review the report of the panel and request judicial review or in-court review if needed;
- g. Confirm that the citizen review panel does not make any additional caseplan goals without a court hearing.

**12.2** For judicial reviews the attorney should:

- a. Request notice of the court date;
- b. Attend each review;
- c. Talk to service providers or others who may help client;
- d. Explore whether the child can now be returned home or ensure that the current placement is still appropriate and the least restrictive;
- e. Modify or increase the visitation schedule, as needed;
- f. Ensure the agency is making reasonable efforts by providing services to eliminate the need for placement of the child;
- g. Explore whether services set forth in the case plan have been provided and if the responsibilities of the parties need to be clarified or modified due to the availability of additional information or changed circumstances;
- h. Explore whether any additional court orders need to be made to move the case toward successful completion;
- i. Determine whether the current custody order has expired;
- j. Explore the current permanency plan for the child and ensure that it is appropriate;
- k. Modify deadlines and timelines, as needed;
- l. Make a record of caseworker changes.

**12.3** Parent attorney should request a review when court intervention is necessary to resolve disputes in such matters as visitation, placement or services.<sup>18</sup>

**12.4** Parent attorney should request a review when any event occurs that may significantly affect the need for continued placement.<sup>19</sup>

**12.5** Parent attorney should move the court to return the children or extend visitation in the least restrictive alternative if the client is meeting the requirements of the case plan.

**12.6** Parent attorney should move the court to require DFCS to provide services if they are not being timely provided.

**Performance Standard 13: Parent Attorney's Duty at Permanency Hearings**

**13.1** At the permanency hearing parent attorney should:

- a. Review the case plan and request additional services or modifications as necessary;

- b. Review compliance with the case plan as well as all other evidence;
- c. Review current placement, if reunification is not the plan;
- d. If DFCS or the GAL is moving towards termination of parental rights, ensure that the next steps and deadlines are set;
- e. Propose a recommendation and be able to support that recommendation with facts;
- f. If there is no parent/child reunification, address sibling visitation;
- g. Consider alternative and relative placements;
- h. Discuss voluntary relinquishment with the client, if appropriate;
- i. Discuss the timelines and the next steps with the client;
- j. Ensure that the client has all appropriate information and then advocate for the client's wishes.

#### **Performance Standard 14: Parent Attorney's Duty at Termination of Parental Rights Hearings**

- 14.1** In preparation for a TPR hearing parent attorney should:
- a. Explain the process and consequences of the hearing with the client;
  - b. Determine whether the client wishes to contest termination;
  - c. Discuss voluntary relinquishment with the client without undermining client's confidence;
  - d. Ensure that the petition states every factual allegation/ground that supports termination of parental rights;
  - e. Review the entire court record and case file;
  - f. If new to the case, conduct a full investigation and interview the prior attorney;
  - g. Review the Georgia TPR statutes;
  - h. Prepare witnesses for testimony, including direct and cross examination;
  - i. Be prepared to address unique issues and any recent developments in the case that may affect the court's decision;
  - j. Determine if there are compelling reasons why there should not be a termination;
  - k. Identify the basis of the original abuse or neglect allegations and analyze the agency's efforts to work with the client;
  - l. Consider motions for expert evaluations of:
    - i. the child's relationship with the client and foster parents;
    - ii. the child's response to continued contacts with the client while in foster care;
    - iii. the client's capacity to care for the child;
    - iv. mental disabilities or other specific diagnoses.
  - m. If representing the putative father:

- i. ensure that he has legitimized the child(ren);
- ii. ensure that he has his own separate case plan.
- iii. check the putative father registry.

**14.2** At the TPR hearing parent attorney should:

- a. Present evidence, including testimony of all witnesses;
- b. Argue that TPR is not in the best interests of the child;
- c. Contest the legal grounds for termination;
- d. Prepare and make all appropriate motions and evidentiary objections in order to preserve issues for appeal.

**14.3** Post TPR parent attorney should:

- a. Determine whether there are issues for appeal and file notice of appeal;
- b. If filing an appeal, consider moving for visitation while the case is still pending;
- c. Advise client regarding consequences of the order and future issues;
- d. Send appropriate paperwork to the client.

#### **Performance Standard 15: Appeals**

**15.1** Parent attorney should review the court order to ensure accuracy and clarity.

**15.2** Parent attorney should provide the client with a copy of the order and review the order with the client to ensure the client understands it.

**15.3** Parent attorney should ascertain whether the client wishes to appeal and discuss the likelihood of success on appeal and potential consequences of an appeal.

**15.4** Parent attorney should advise the client on potential consequences of failing to comply with the order, take reasonable steps to ensure the client complies with the order and determine whether the case needs to be brought back to court.

**15.5** Parent attorney should know the rules of both the Supreme Court and the Court of Appeals concerning the filing of appeals.

**15.6** Parent attorney should communicate the results of the appeal and its implication to the client.

#### **Performance Standard 16: Conflicts of Interest**

**16.1** Parent attorney should be alert to and avoid potential conflicts of interest

that would interfere with the competent representation of the client.

- 16.2** Parent attorney should generally avoid representing both parents when there is even a potential for conflicts of interests, and should never represent both parents in cases that involve allegations of sexual, physical, or emotional abuse, or when the interests of the parents differ.
- 16.3** If a conflict develops during the course of representation, parent attorney has a duty to notify the client and the court in accordance with the Uniform Rules of Court and in accordance with the Disciplinary Rules of the State Bar of Georgia.

### **Performance Standard 17: Case Planning**

#### **Commentary:**

The parent and parent attorney should play an active role in developing the case plan to ensure that the goals of the case plan and the services provided reflect the court's findings and the statutory bases for the deprivation adjudication and that the services are designed to remedy or address the problems identified.

- 17.1** To participate in case plan development and adoption parent attorney should:
- a.** Receive notice of case plan family conference meeting;
  - b.** Attend the case plan meeting or send a designee if possible;
  - c.** Instruct the client not to sign or agree to the case plan before parent attorney's review;
  - d.** Make recommendations for the case plan or develop an alternative case plan, as appropriate;
  - e.** Receive or request a copy of the case plan;
  - f.** Ensure that the case plan relates to reasons for removal;
  - g.** Ensure that the findings of fact relate to the case plan;
  - h.** Ensure that the required steps relate to the case plan problems and goals;
  - i.** Ensure that the case plan contains specific measurable goals tailored to the client;
  - j.** Ensure that the case plan is realistic regarding requirements of the parent;
  - k.** Ensure that the case plan reflects time lines and details for who is personally responsible under each provision of the case plan;
  - l.** Ensure that the case plan addresses who will pay for the services in the case plan;
  - m.** Ensure that if there is a concurrent case plan that it is known to all parties;
  - n.** Ensure that the case plan defines specific duties for DFCS and specific services with timelines to be provided by DFCS.

- 17.2** After the court has adopted the case plan parent attorney should:
- a.** Ensure that the client understands his/her responsibilities as outlined in the case plan;
  - b.** Ensure adherence to the case plan by frequently monitoring the client's progress and the services provided by the agency;
  - c.** Work with the client to develop a calendar system that reflects case plan deadlines and important dates;
  - d.** Be attentive to any problems that arise as the parties execute or fail to execute the plan;
  - e.** Seek to modify the case plan as circumstances require or change.

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<sup>1</sup> See GA RULES OF PROF'L CONDUCT R. 1.3. See In Interest of M. S., 178 Ga. App. 380 (Ga. Ct. App. 1986) for discussion of fundamental liberty interest.

<sup>2</sup> American Bar Association Standards of Practice for Attorneys Representing Parents in Abuse and Neglect Cases, 2006, Standard 8 (hereinafter ABA standards)

<sup>3</sup> See id. Standard 10 and 11.

<sup>4</sup> Id.

<sup>5</sup> See GA RULES OF PROF'L CONDUCT R. 1.6.

<sup>6</sup> ABA Standards, supra note 2, Standard 16.

<sup>7</sup> Id, Standard 17.

<sup>8</sup> Id. Standard 18.

<sup>9</sup> Id. Standard 18 commentary.

<sup>10</sup> See MODEL RULES OF PROF'L CONDUCT R. 1.14 cmt. 5

<sup>11</sup> ABA Standards, supra note 2, Standard 18 commentary.

<sup>12</sup> Oregon Performance Standards for Representation in Juvenile Dependency Cases Standard 3.5 (hereinafter Oregon Standards). See State of Georgia Performance Standards for Representation in Indigent Delinquency and Unruly Cases, 2005 Standard 5.1 (hereinafter Georgia Standards)

<sup>13</sup> Georgia Standards, supra note 12, Standard 5.2

<sup>14</sup> Oregon Standards, supra note 12, Standard 3.5.2.

<sup>15</sup> Also called the probable cause hearing or the shelter care hearing.

<sup>16</sup> Georgia Aspirational Guidelines for Attorneys Representing Parents in Child Deprivation at 10.

<sup>17</sup> ABA Standards, supra note 2, Standard 19.

<sup>18</sup> Oregon Performance Standards, supra note 12, Standard 3.12

<sup>19</sup> Id.