

Ways to Assist Clients in Documenting Compliance with Orders of the Court

1. Calendars

For approximately \$1.00 each, you can customize pocket calendars with your name, phone number, address, and fax number. It is helpful to provide these to your clients at the Day One Conference, Child Planning Conference, or initial non-secure custody hearing. Encourage your clients to write each appointment, visit, and court hearing on that calendar so they will not forget. Your name and phone number is clearly printed on the front of the calendar so they always know how to reach you.

2. Releases of information

Bring blank releases of information to the Day One Conference, Child Planning Conference, or initial non-secure custody hearing. Have your client fill out several for the different service providers with whom they will be working. This allows you to fax the release directly to the service provider and get information much faster than waiting for your client to provide the information.

3. Attendance sheets

Draft blank attendance sheets in Excel with columns for date, service provider's name, service provider's telephone number, service provider's signature, and type of appointment. Instruct your client to get a signature for each appointment they attend whether it is a visit with their children, a domestic violence group meeting, a therapy session, or an appointment with a vocational rehabilitation counselor. This will also assist in creating a parent's court report. Documentation showing a parent's pro-activity is crucial in encouraging a judge not to cease reunification efforts if they are on the fence.

4. Motion and Order to examine records

Bring a motion and order to examine records to each initial non-secure custody hearing. Sometimes it takes a few weeks to coordinate a time with the social worker to review the file. Having an order signed at the onset of the case gives you more time to prepare your case. It also shows your client that you are on their side and that you aren't just taking the social worker at their word, you expect to see proof of their allegations. At this early stage of litigation it is important for your client to feel like you are on their side. Frequently attorneys turn into mediators and rush too quickly into negotiating a consent order instead of developing a trusting relationship with their client. If you take the time to show your client that you are on their side, they will be much more open to listening to your suggestion of a consent order in the future.

5. Discovery

Abuse, neglect and dependency actions are civil actions which are governed by the rules of civil procedure. Send out interrogatories, requests for production of documents, and requests for admissions. If DSS is alleging that your client failed to ensure the children attended school on a regular basis, subpoena the school records. If DSS failed to inquire as to whether or not the parent had an alternative childcare

arrangement before filing a dependency petition and getting a non-secure custody order, send them a request for admission. If the situation warrants, subpoena parties to a deposition. They do not have to be performed by a court reporter. If your judge will not approve funds for a court reporter, depositions can be performed before a notary.

6. Good manners

Remind your clients to have good manners. The social worker that upsets them by being 10 minutes late to a visit is likely the same social worker who will write a court report detailing the parent's hostility toward the social worker when he/she was 10 minutes late. Parents need to understand that while this is an adversarial process, they need to demonstrate they can effectively deal with conflict. They certainly will have to deal with conflict as their children get older and older. Remind your client to be polite to the social workers. If they need to vent, have them call you.

7. Telephone log

Have your client keep track of the date, time, and number for each telephone call they make related to their case. Not only will it be a good tool to document their efforts at reunification, it will be helpful in creating a parent's court report.