



Children's Advocacy Institute

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Dependency Counsel Training Program

**OAKLAND SESSION:
OCTOBER 29–31, 2008**

California State University — East Bay
Oakland Professional Development & Conference Center
1000 Broadway, Suite 109 (Rooms 2 and 3) ■ Oakland, CA 94607

The University of San Diego School of Law is a State Bar of California approved MCLE provider, and certifies that this activity is approved for MCLE credit in the amount of 20 hours of general credit.

Day One: Wednesday, October 29, 2008

Registration / Continental Breakfast

8:00 – 8:30

Welcome / Course Goals & Objectives

8:30 – 8:35

*Prof. Robert Fellmeth, Executive Director, Children's Advocacy Institute
Price Professor of Public Interest Law, University of San Diego School of Law*

Welcoming remarks; explanation of course syllabus; overview of the course goals and objectives; and related information.

The Context of Child Welfare Law / Overview of Child Maltreatment

8:35 – 10:00

*Chadwick Center for Children & Families
Lynn Kaufold, Lisa Conradi, Robin Vanderlaan*

Overview of child abuse (physical, sexual, emotional) and neglect incidence, manifestation, detection, and treatment; signs and symptoms of abuse and neglect; physical findings; the forensic interview of child victims; special issues with children's credibility; short- and long-term impact of child maltreatment; family dynamics and risk factors in child maltreatment; and contributing factors such as substance abuse, domestic violence, disabilities, environmental factors, and cultural differences.

Break

10:00 – 10:15

Interviewing Children

10:15 – 11:45

*Dr. Tom Lyon
Judge Edward J. and Ruey L. Guirado Chair in Law and Psychology, USC Gould School of Law*

Overview of proper, non-threatening techniques for interviewing child victims of abuse or trauma.

Lunch (lunch provided)

11:45 – 12:15

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Substance Abuse Issues in Dependency Court Proceedings 12:15 – 1:45
Alex Stalcup, M.D., pediatrician and addiction specialist

Discussion of substance abuse issues and how they impact Dependency Court parties and proceedings.

The Legal Framework of Child Welfare Law and Practice 1:45 – 2:45
Prof. Robert Fellmeth, Executive Director, Children's Advocacy Institute

Discussion of federal child welfare law and policy, including key federal programs, federal funding sources, federal statutes, and constitutional caselaw, as well as relevant California state laws, rules of court, and caselaw.

Break 2:45 – 3:00

The Child Welfare Legal Process 3:00 – 5:30
John Passalacqua, Attorney at Law (Parents' Counsel)
Nancy Aspaturian, Children's Law Center of Los Angeles (Minors' Counsel)
Janine Molgaard, Deputy County Counsel, San Joaquin County
Christina Riehl, Staff Attorney, Children's Advocacy Institute

Using a case scenario to guide the discussion, the panel will take a trip through all of the various Dependency Court hearings from the perspective of County Counsel, the parent's attorney, and the minor's attorney. For each hearing, the discussion will begin with a black letter law overview and be followed by panel comments (with audience participation) pertaining to the significant issues, areas of consideration, goals, and strategy pertaining to each specific hearing.

Day Two: Thursday, October 30, 2008

Sign In / Continental Breakfast 8:00 – 8:15

The Child Welfare Legal Process (cont'd from Day One) 8:15 – 10:00

Break 10:00 – 10:15

The Child Welfare Legal Process (conclusion) 10:15 – 11:30

Lawyering from the Child Client's Perspective 11:30 – 12:00
Sophia Herman, Foster Youth Advocate
Cassandra Harris, Foster Youth Advocate

A presentation by former foster youth explaining what a child going through the Dependency Court process needs from the attorneys in their lives.

Lunch (lunch provided) 12:00 – 12:30

The Appellate Process and Collateral Proceedings**12:30 – 2:30***Martha Matthews, Appellate Attorney, Children's Law Center*

Because participants in the Dependency Court process often have legal concerns that exist outside of the walls of the Juvenile Court, this session will focus on what attorneys in Dependency Court need to know about collateral court proceedings, such as delinquency, criminal, and family law proceedings. There will also be a presentation on what every new attorney needs to know about appellate and writ practice — including how to preserve your record.

Educational Advocacy**2:30 – 3:15***Katie Ford, Staff Attorney — Children's Rights, Public Counsel Law Center*

An overview of education-related issues faced by minors in the child welfare system, such as special education needs, AB 490, and discipline issues, with insight on how to recognize when these issues present themselves, and information on resources available to help address them.

Break**3:15 – 3:30****The Role and Duties of Legal Counsel in Child Welfare Proceedings****3:30 – 5:15***David Meyers, Senior Attorney, Center for Families, Children & the Courts,
Administrative Office of the Courts*

Because representation of clients in Dependency Court requires legal knowledge and expertise, as well as the ability to address the personal needs of their clients, this portion of the training will focus on providing participants with the tools necessary to integrate the ability to identify the legal and social services needs of their clients with addressing these needs as appropriate, all within the confines of being able to function appropriately in their role as counsel.

Day Three: Friday, October 31, 2008**Sign In / Continental Breakfast****8:00 – 8:15****Dependency Court Trial Advocacy — Overview****8:15 – 10:15***Leslie Heimov, Executive Director, Children's Law Center of Los Angeles
Certified Child Welfare Law Specialist / Trial Skills Instructor, National Institute of Trial Advocacy*

Overview and insight into handling the case analysis, direct exam, cross exam, objections, exhibits, and impeachment during a Dependency Court trial.

Break**10:15 – 10:30****Dependency Court Trial Advocacy — Special Issues****10:30 – 12:30***John E. B. Myers, Distinguished Professor and Scholar of Law, University of the Pacific, McGeorge School of Law*

A discussion of special evidentiary issues, hearsay evidence, and expert testimony issues that are particular to Dependency Court trials.

Conclusion