

## CAP PRO BONO ATTORNEY CHECKLIST

- Immediately e-file and e-serve the Notice of Appearance which you will find enclosed; Include yourself as a service recipient and a filed copy will be emailed to you. (Please refer to the E-filing information form in the placement packet)
- Once you receive the file-stamped Notice of Appearance, you will need to prepare and e-file the Certificate of Service. There's a sample Certificate of Service attached. (see attached memo regarding e-service for additional instructions)
- Print one copy of the e-filed, date-stamped, Notice of Appearance, for yourself. On the Ex Parte Order, fill in the date the Notice of Appearance was e-filed and deliver the original Ex Parte Order to the Judge's Reception Area on the 3rd floor of the Family Court and leave in the Department "O" bin for Judge Frank Sullivan, Department "K" bin for Judge Cynthia Giuliani, or the Department "D" bin for Judge Robert Teuton. If your case is in front of Hearing Master Gibson, Hearing Master Roys, or Hearing Master Norheim, leave in the "Juvenile" bin.

Standard procedure is for the Judge to sign it and place it in your bin. If you do not regularly appear in family court and do not have a bin, it will be placed in the "Pro Bono Attorney" bin.

Alternatively, to expedite the process, you may include a cover letter asking for a call when the order has been signed so that you or your runner can pick it up. You will then need to e-file it.

- E-File and e-serve the Notice of Entry of Order. Make sure the file-stamped Ex Parte Order is attached to the Notice.
- Once you receive the file-stamped Notice of Entry of Order, you will need to prepare and e-file the Certificate of Service. There's a sample Certificate of Service attached.
- Contact the caseworker to discuss the client's current status (but remember, not to be influenced by the case worker's opinions) and to obtain the client's whereabouts and contact information. See the enclosed "Suggested Questions for Caseworker" for some proposed topics you should cover. Ask the caseworker to contact the residence to notify them that the child has an attorney who will be contacting them to set up a visit. Obtain the names and contact information of other professionals involved, such as: the wrap facilitator (who is a more intensive caseworker) the rehabilitation specialist (who mainly deals with addressing the client's life skills), the Court Appointed Special Advocate (CASA) and, if placed with private agency, the social worker for the agency.
- Ask the caseworker to inform you, in a timely manner, of all Child and Family Team meetings. (The case worker is required by Order to do so.) Do your best to attend such meetings, especially when critical issues are being discussed. Feel free to tell the caseworker that before scheduling a meeting, she/he must consult with you to ensure your availability. We believe that last minute notice with no input into setting of meetings, is a violation of our Order and subject to contempt. Also ask the caseworker to forward you any reports, evaluations, assessments, or other documents that are not yet in the court file and to keep you informed of all future developments. You also have the option of requesting a copy of the caseworker's entire file. If the case worker is not cooperative, this information may be subpoenaed.
- Arrange to see your client AS SOON AS POSSIBLE. Meet with your client privately and explain the nature of confidential communications and your role.**
- Review the court file and the manual you received from our office. If you have not received the manual or believe parts of the file are missing, please call Sasha Wong Hinkel, at 386-1070 ext 1422.
- Calendar the next court date for your client. It is your responsibility to attend every court date, unless you secure a continuance (which is virtually impossible to do) or, in an emergency, have a colleague cover for you.
- If your client is in a juvenile psychiatric hospital (known as a treatment center), you are urged to attend as many weekly team meetings there as possible. These usually last for about a half hour.
- If there are issues in your client's case that you believe should be discussed by all the professionals involved, ask the caseworker to set a Child and Family Team meeting. If the case worker refuses you may, set the meeting on your own and invite all the professionals involved including foster parents and client's necessary relatives.
- If a critical issue develops, such as the client being faced with an immediate move that she/he does not agree with, file a motion before the court on order shortening time, requesting emergency relief and an emergency order. Our juvenile judge is very receptive to hearing these motions (which may be brief, just outlining the facts) within 2-3 days, as long as you represent that you have made all reasonable efforts (including contacting the Juvenile Deputy District Attorney) to resolve the issue without court involvement .**
- Keep in regular contact with your client to stay aware of her/his current status and needs.
- Attend one of the next two scheduled CAP lunches to discuss your case and any questions you have. As needed and available, attend other CAP lunches throughout the year to discuss concerns, struggles, and successes.

**Please feel free to contact your CAP mentor as often as necessary for advice, consultation, sample pleadings, and questions.**