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# Office of the Child's Representative

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## Performance Plan

June 2019

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*OCR is an independent  
agency within the  
Judicial Department*

# Mission and Values

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The mission of the Office of the Child’s Representative (OCR) is to provide effective legal representation to Colorado’s children involved in the court system because they have been abused and neglected, impacted by high-conflict parenting time disputes, or charged with delinquent acts and without a parent able to provide relevant information to the court or protect their best interests during the proceedings. As a state agency, the OCR is accountable to the State of Colorado to achieve this mission in the most cost-efficient manner without compromising the integrity of services or the safety and well-being of children. The OCR is committed to ensuring that its attorneys provide these children, Colorado’s most vulnerable and marginalized population in the courts, the best legal services available to protect and promote their safety and well-being and to have their voice heard throughout all aspects of a case.

## OCR Values

**Accountability:** Colorado’s children, attorneys, and taxpayers can count on OCR to ensure that each decision we make and action we take advances our mission in a fair and transparent manner.

**Efficiency:** OCR strives to accomplish its mission and conserve resources by streamlining efforts, adhering to deadlines, resolving conflict constructively, and honoring well-defined projects, processes, and roles. We balance our drive to achieve with thoughtful planning and implementation.

**Empowerment:** OCR cultivates an environment of respect and honesty. We value the experience and expertise of the children we serve, our contract attorneys, and our staff. We invest time to connect, focus on strengths, value feedback, and recognize success. We support each other in our mission to empower children.

# Overview

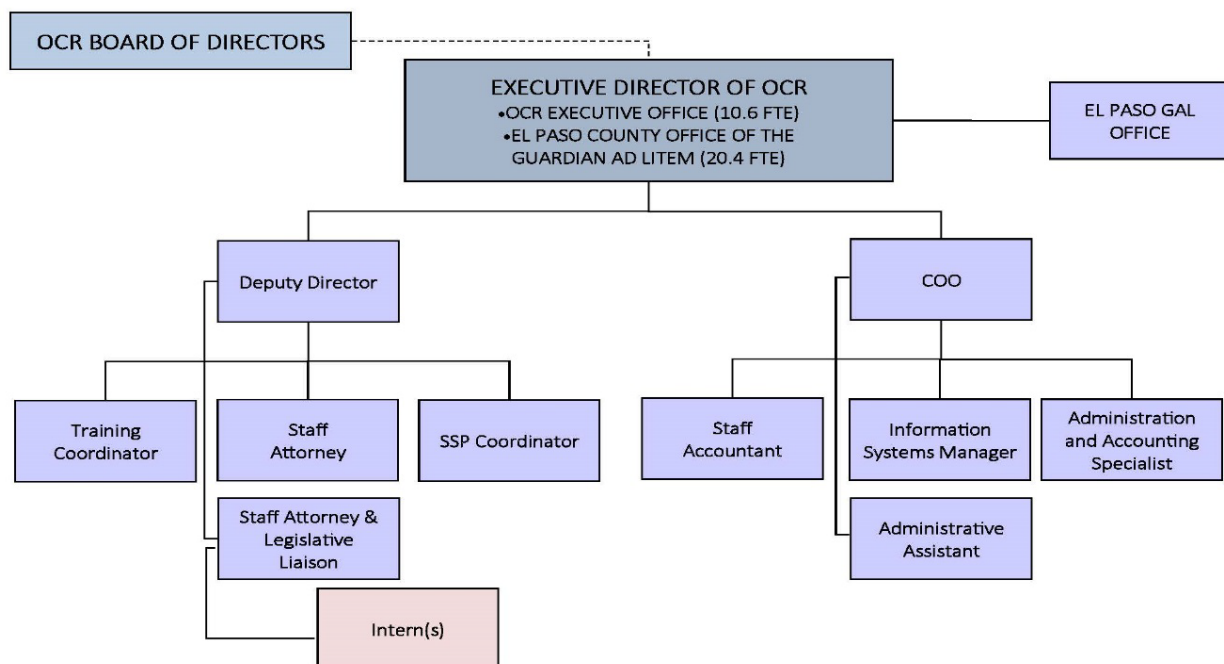
The OCR was created in 2000 to address the General Assembly's concerns about the quality of representation provided to Colorado children. Colorado Revised Statute §13-91-101 et seq. mandates that OCR:

- Improve the quality of attorney services and maintain consistency of representation statewide.
- Provide accessible training statewide for attorneys.
- Establish minimum practice standards for all attorneys representing the best interests of children.
- Provide oversight of the practice of attorneys to ensure compliance with the established minimum standards.
- Establish fair and realistic compensation for state-appointed GALs sufficient to retain high-quality, experienced attorneys.
- Serve as a resource for attorneys.
- Develop measurement instruments to assess and document the effectiveness of various models of representation.

The OCR has been working diligently and successfully to fulfill these mandates and improve the quality of legal services and representation of children in Colorado. Currently the OCR contracts with approximately 275 attorneys who serve children in all 22 judicial districts across the state. Our Executive Office, located in the Ralph Carr Judicial Center at 1300 Broadway, Suite 320, houses our Executive Director, Deputy Director, Chief Operating Officer and 8 staff members.

## Colorado Office of the Child's Representative (OCR) Organizational Chart

November 1, 2018



## Attorney Services Provided by the OCR

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The OCR oversees approximately 275 attorneys who serve as Guardians *ad Litem* (GAL) in Colorado. A GAL is appointed by the Court for every child named in a dependency and neglect case (as mandated in §19-3-203 C.R.S.) and the OCR is responsible for oversight and payment of all these appointments. The General Assembly added a new case type for OCR through HB19-1316 as reflected below.

<b>Case Type</b>	<b>OCR Responsibility</b>
Dependency & Neglect	All GAL appointments (GAL appointed for each child/youth in every case in Colorado)
Underage Party seeking a Marriage License	All GAL appointments (GAL appointed for all youth 16-17 seeking a marriage license)

The Court has discretion to appoint a GAL in the following proceedings and the OCR is responsible for the appointment of a GAL for minors as follows:

<b>Case Type</b>	<b>OCR Responsibility</b>
Delinquency	All GAL appointments
Paternity	GAL appointments where at least one party is indigent.
Probate	GAL appointments where at least one party is indigent.
Relinquishment	All GAL appointments
Mental Health	All GAL appointments

In addition, the OCR may be responsible for appointments in other proceedings when representation of a child's best interests is deemed necessary or when the Court appoints Counsel for a minor child in a Dependency and Neglect proceeding.

The Court also has discretion to appoint a Child's Legal Representative (CLR) in domestic relations cases in accordance with §14-10-116. The OCR is responsible for oversight and payment of CLRs when the Court finds one or both parties indigent.

The statutory roles and responsibilities vary slightly by proceeding, however, the GAL or CLR's professional duties flow solely to the best interests of the child. The GAL is appointed to independently investigate, make recommendations that are in the best interests of the child, and advocate on that child's behalf through all stages of the proceedings.

In FY 18-19 the OCR provided legal services through two models of representation:

1. ***Independent contractors:*** The OCR contracted with approximately 275 independent contractors throughout Colorado in FY 18-19. These contract entities are small businesses and include sole practitioners and law firms.
2. ***OCR's El Paso County GAL Office:*** The OCR's El Paso County GAL Office (OGAL) is a model of attorney services that falls under the jurisdiction of the OCR. The creation of the office as the Fourth Judicial District Pilot Project was in direct response to Senate Bill 99-215 (Long Appropriations Bill), Footnote 135, which directed the Judicial Department to pilot alternative methods of providing GAL services. This "staff model" office is entering its nineteenth year of operation and employs 12 attorneys (including a managing attorney and an assistant managing attorney) and five case coordinators (20.4 FTE). The case coordinators are social service professionals who supplement attorney services in a case. The use of multidisciplinary staff services is recognized as a promising practice by the National Association of Counsel for Children (NACC) and OCR evaluated the effectiveness of additional multidisciplinary law office pilot programs in FY 16-17. While that pilot was ultimately discontinued, the OCR gained valuable information about additional services to create efficiencies and enhance representation.

Regardless of which model is utilized, all OCR attorneys are held to high practice expectations and are specially trained on the law, social science research, and best practices relating to issues impacting children involved in court proceedings. The legal advocacy provided by OCR attorneys plays a critical role in protecting and promoting the child's safety and well-being and ensures each child has a voice throughout all aspects of their case.

## OCR Performance Goals and Strategies

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**GOAL 1: Provide children a voice in the Colorado legal system through effective attorney services and advocacy.**

***Strategies:***

- A. *Ensure children's voice & interests are paramount throughout the proceedings and in the development of policy, law & practice*
- B. *Establish attorney qualifications & practice standards*
- C. *Provide oversight & evaluation of attorney practice*
- D. *Contract with attorneys based on data illustrating compliance with CJD and OCR practice standards*
- E. *Establish fair and reasonable compensation for OCR attorneys*
- F. *Investigate alternative models of providing legal representation*

## **GOAL 2: The OCR will optimize efficiencies in attorney practice and billing.**

### **Strategies:**

- A. *Manage appropriations & assess program needs*
- B. *Assess judicial district needs*
- C. *Maximize use and effectiveness of OCR CARES (OCR's on-line case management/billing system)*
- D. *Provide litigation support and facilitate practice innovations*
- E. *Provide social service professional (SSP) support to attorneys*
- F. *Process, manage, and evaluate attorney billings*

## **GOAL 3: The OCR will ensure attorneys remain current in state and federal law and regulations, social science research and evidence-based services.**

### **Strategies:**

- A. *Cultivate a learning & practice environment that supports excellence in legal representation*
- B. *Implement OCR Core Competencies*
- C. *Assess attorney education needs*
- D. *Require attorneys to meet minimum training requirements*
- E. *Disseminate updates on developments in law and social science*
- F. *Maintain current and relevant resources for attorneys' use*

# **Goal 1 Process and Metrics**

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## **Ensure children's voice & interests are paramount throughout the proceedings and in the development of policy, law & practice**

OCR launched an Engaging and Empowering Youth Initiative (E&EY) in FY 17-18 with the goal of obtaining direct feedback from children and youth involved in the juvenile court system. E&EY focuses on "meeting the youth where they are" and OCR collected feedback surveys, conducted youth focus groups to gather important information about the youth's perspective and attended other youth events. In FY18-19 the OCR streamlined and improved our youth survey based on data collected and feedback received. The OCR conducted six focus groups and has obtained 78 surveys so far this fiscal year (with one more event scheduled) and will continue to improve the program moving forward.

In addition, OCR conducts youth reference interviews as a part of our renewal procedure for one third of our Judicial Districts each year (detailed more fully below) which is another important method of seeking direct youth feedback. In FY18-19 OCR conducted 65 youth reference interviews regarding the 83 attorneys up for renewal. This feedback is used in evaluating attorney compliance with OCR practice standards and is discussed with each attorney during his or her renewal interview.

To highlight the importance of the child's voice throughout their proceedings, OCR has included some measures on our Court Observation Forms and Stakeholder Feedback Surveys in the chart below (see Annual Verification Process and Triannual Renewal Section for more information).

## Goal 1: Provide children a voice in the Colorado legal system through effective attorney services and advocacy.

Increase feedback from youth directly	Baseline Data Est. FY17-18	FY18-19		FY19-20		FY20-21	
		Goal	Actual	Goal	Actual	Goal	Actual
# of youth events attended or sponsored	5	5	<b>8</b>	5		5	
# of youth surveys received	114	50 <sup>1</sup>	<b>108</b>	75		100	
% of renewing attorneys with at least 1 youth reference interview completed	53%	60%	<b>77%</b>	65%		70%	
% of attorneys stated child's (5 & over) position in court observations <sup>2</sup>	63% <sup>3</sup>	70%	<b>87%</b>	75%		80%	
% of attorneys who indicated efforts to get child to attend in court observations <sup>4</sup>	12%	20%	<b>13%</b>	30%		40%	
Stakeholders indicate attorney Always/Usually advises the Court of the child's position	90%	95%	<b>87%</b>	95%		95%	

### Attorney Qualifications and Practice Standards

Expectations for attorneys under contract with the OCR are set forth in statute, Chief Justice Directives (CJD), OCR manuals and policies (available on our website), in the new attorney welcome packet and in the OCR contract. CJD 04-06 sets forth practice standards and expectations for OCR contract attorneys and the OCR makes recommendations to the Chief Justice of the Colorado Supreme Court on necessary changes, updates or modifications to those standards. The OCR significantly enhanced its manuals and policies in response to the 2018 Legislative Audit findings in FY18-19 and worked with the Chief Justice to update CJD 04-06. This update included capping the number of children/youth a full time attorney may represent at 100 children/youth in accordance with national recommendations. Notably, most attorneys maintain

<sup>1</sup> This number is low as compared to the baseline to allow OCR time to redesign the survey, if necessary, after analyzing the data gathered.

<sup>2</sup> This number cannot account for instances when a GAL may not state a position in accordance with the child's wishes.

<sup>3</sup> OCR has tracked this measure since FY13-14 (43.75%) and it has steadily improved. The data point has been relocated to this new section which does not have data points going back as far which is why the historical data is not included.

<sup>4</sup> For Juveniles who were not already present in court and are over 5 years of age.



much lower caseloads and the OCR has communicated clearly to contractors that 100 children/youth is not the expected caseload for a full-time contractor.

## Oversight and Evaluation of Attorney practice

The OCR strives to meet its goals in part by developing and using data-driven practices. However, child welfare practice does not lend itself to simple outcome-based analysis, as appropriate results for one child may not be appropriate for another child. The OCR concentrates its data collection on compliance with practice standards to assess the effectiveness of representation. The OCR's efforts in practice assessment and data collection have received state and national attention.

Every year the OCR establishes lists of attorneys eligible for OCR appointments in each of the 22 judicial districts. OCR uses a comprehensive evaluation strategy and benchmarks to ensure compliance with CJD and OCR practice standards as it establishes the eligibility lists. This evaluation strategy includes:

- Annual verification process
- Tri-annual renewal applications
- New Attorney interviews
- Ongoing assessment and periodic review of attorney activity.
- Risk-based sampling (beginning in FY19-20).

The Annual Verification and Tri-Annual review processes were enhanced this year to include a more standardized review of data sources and improved documentation requirements. Current data sources reviewed include (those in bold only apply to the Tri-annual Renewal process):

- D&N CJD Visit Report (to show compliance with the initial 30-day visit requirement in the CJD)
- CJD Exceptions Report
- Activity Report (showing average cost per case data as well as how contractors use their time)
- Discipline Report
- Stakeholder Report
- Formal Complaints
- **Court Observation Summary**
- **Case Reference Summary**
- **Writing Sample**

The OCR created benchmarks to review each of these components to ensure consistency in application.

### Annual Verification Process

Each year the OCR requires existing attorneys to confirm compliance with CJD 04-06, disclose professional disciplinary history, verify fulfillment of OCR training (which now includes specifying which trainings were completed) and verify malpractice insurance requirements. The OCR compiles reports for each individual attorney to show his/her billing activity and average cost per case. Each verification is reviewed by a staff attorney who assesses any discrepancies between the data and the established benchmarks. Those falling outside of the benchmarks are staffed by the OCR. The OCR also seeks Stakeholder Feedback for each attorney through an annual survey which is sent to Judicial Officers and various court staff, departments of Human Services staff, CASA agencies, probation officers and attorneys representing other parties in the cases. All responses to the survey are reviewed by the OCR.



In FY18-19 the OCR received 1,355 survey responses concerning 249 attorneys; these included 280 responses from Judicial Officers. This data is used as one measure of attorney effectiveness and advocacy:

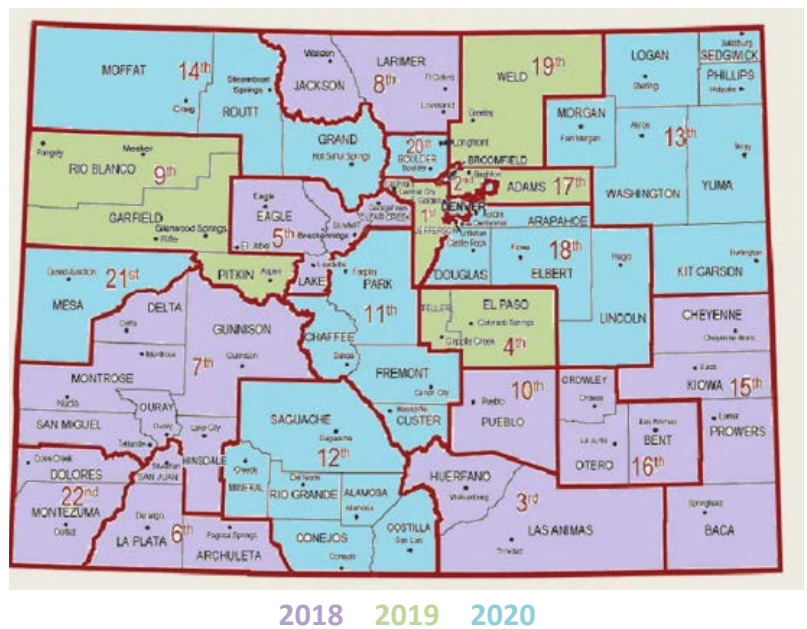
**Goal 1: Provide children a voice in the Colorado legal system through effective attorney services and advocacy.**

Stakeholder Survey Responses indicate Strongly Agree /Agree that the attorney:	FY15-16		FY16-17		FY17-18		FY18-19		FY19-20		FY20-21	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
Possesses relevant advocacy skills	90%	88%	90%	91%	90%	91.0%	95%	90%	95%		95%	
Possesses requisite knowledge	90%	88%	90%	91%	92%	90.2%	95%	90%	95%		95%	
Attends all court hearings	93%	95%	93%	94%	95%	97.4%	97%	96%	97%		97%	
Demonstrates a good understanding of the child’s strengths and needs	-	-	-	-	Est. Baseline	86.1%	90%	85%	90%		90%	
Critically assesses department case & permanency plans	80%	76%	80%	88%	82%	89.0%	90%	85%	90%		95%	

**Tri-Annual renewal applications**

Beginning in FY12-13 the OCR launched an extensive evaluation of attorneys in one-third of Colorado’s 22 Judicial Districts each year. This extensive evaluation includes all items in the annual verifications process and an application, in addition to: reference interviews for each attorney with children/youth, parents and/or caregivers; structured court observations; review of a writing sample; and a one-on-one interview with an OCR staff attorney. Any discrepancies between the data and established benchmarks are addressed in the interview and staffed by the OCR.

Court observations, referenced above, are done with a separate standardized form for dependency and neglect proceedings and juvenile delinquency proceedings. In FY 18-19



OCR conducted 471 observations involving 106 attorneys and 723 children/youth. Another standardized form is used to conduct case reference interviews. In FY 18-19 the OCR conducted 220 reference interviews concerning the 83 attorneys under evaluation. Some of the data collected through these forms is used below:

### Goal 1: Provide children a voice in the Colorado legal system through effective attorney services and advocacy.

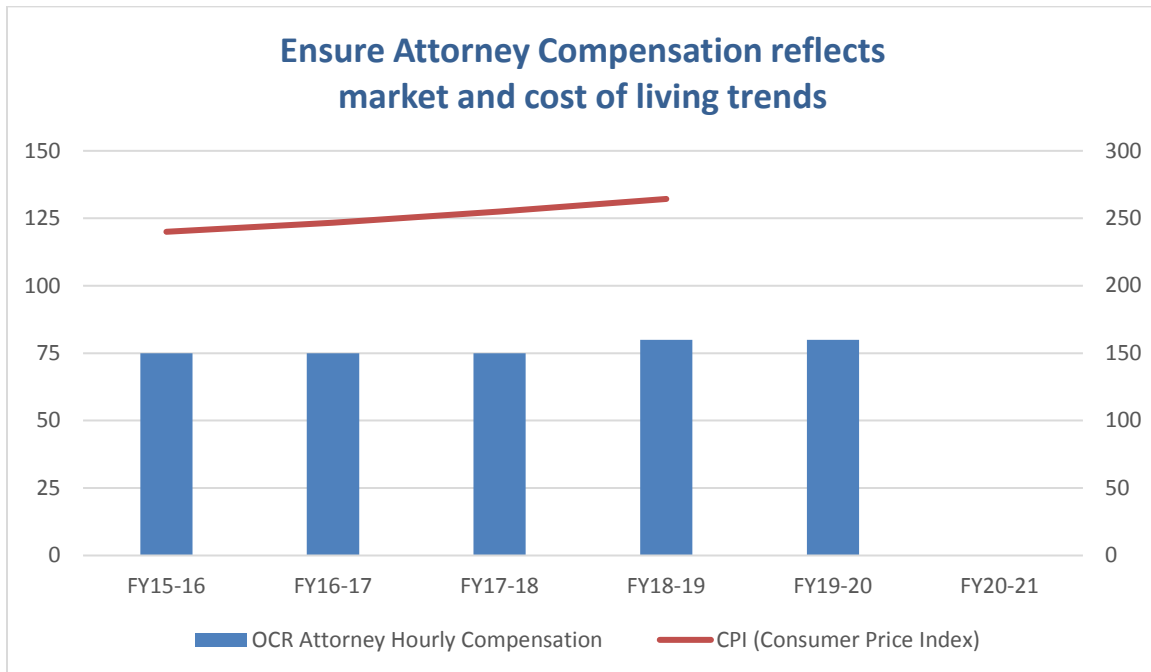
Use Tri-Annual renewal process to evaluate attorney effectiveness and compliance with the CJD	FY15-16		FY16-17		FY17-18		FY18-19		FY19-20		FY20-21	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
Average # of court observations per attorney per year	3	4.9	3	5.4	3	3.54	3	4.46	3		3	
Appointed Attorney Appeared	92%	95%	92%	97%	95%	95%	95%	94%	95%		95%	
Attorney provided current, independent information	80%	81%	85%	80%	85%	86%	90%	86%	90%		90%	
Attorney Clearly Stated Position	90%	85%	90%	89%	90%	93%	95%	94%	95%		95%	
% of attorneys with at least 1 reference interview with a child/youth, a parent and a caregiver	-	-	-	-	Est. Baseline	39%	45%	72%	55%		65%	

#### Compliance with CJD/Practice Standards

In addition to the tools listed in the above section, the OCR has an established formalized complaint process which provides an additional mechanism to ensure attorneys under contract with OCR are meeting practice standards. For each complaint filed, regardless of the factual allegations, the OCR confirms attorney compliance with practice standards, reviews the court's on-line file and CARES data. Founded complaints lead to further investigation of the attorney's performance and typically includes an audit of additional case files/activities. In FY18-19 OCR received 37 complaints and investigated 33 of them (1 was regarding a GAL who no longer had a contract; one was for a case that had been closed over 12 months prior, in one the complainant did not follow through; one complaint was withdrawn). Of the 33 complaints investigated, one was founded, 24 were unfounded and 8 are still pending.

## Fair and Reasonable compensation

OCR is statutorily mandated to establish fair and realistic rates of compensation to enhance the legal representation of children by C.R.S. §13-91-105. The hourly rate paid to OCR contract attorneys had not been changed between 2015-2018. OCR staff worked with the General Assembly and Joint Budget Committee to increase this rate for this fiscal year to \$80 per hour. OCR continues to monitor these rates in order to keep up with the cost of living increases and continue to attract high quality attorneys.

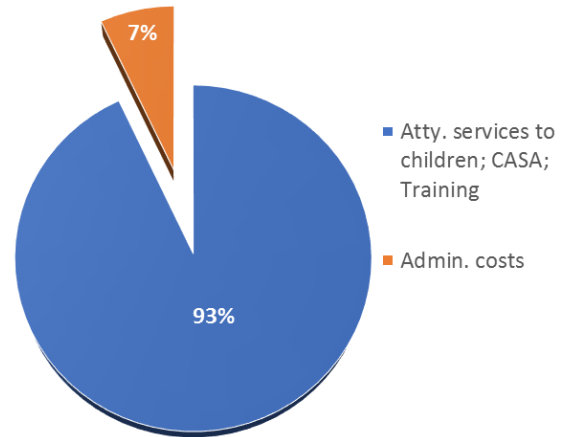


# Goal 2: Process and Metrics

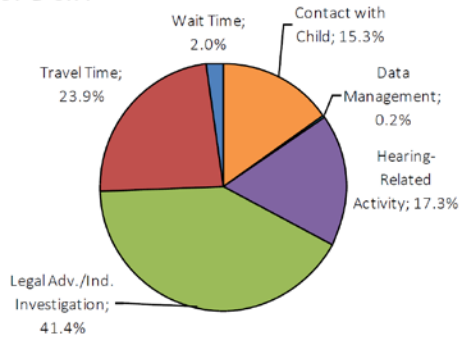
## Manage Appropriations and Assess Program Needs

OCR strives to be efficient and effective in utilizing its annual appropriation. OCR's budget is driven largely by attorney activity and caseloads. In FY18-19 (through 3/31/2019) OCR used 93% of its expended funds for attorney services and only 7% for administration. Through the first three quarters of the fiscal year OCR has expended 68% of its appropriation (which included a supplemental request based on increased costs in our court appointed counsel line item) and is currently on track to be within budget by the end of the fiscal year.

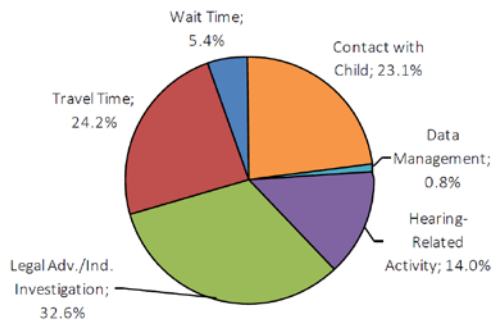
FY 19 Administrative Expenditures (through 3/31/19)



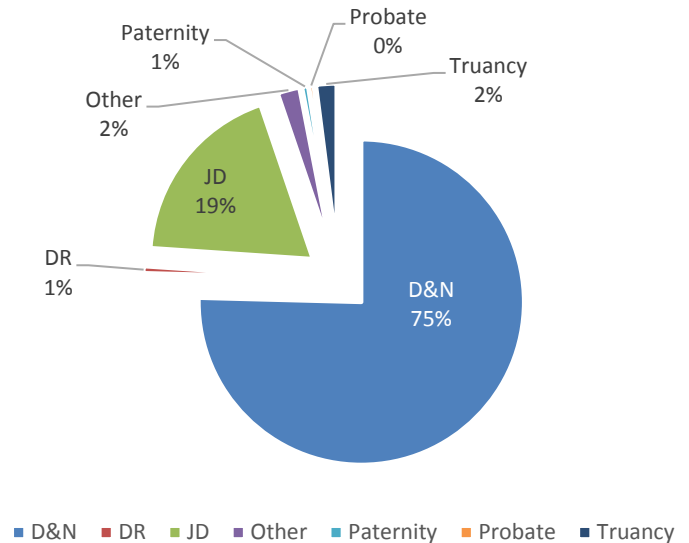
### State: D&N



### State: JD



Percentage of Case Type Expenditures (through 3/31/19)



## Maximize use and effectiveness of OCR's on-line case management and billing system

The OCR began using an electronic billing system in 2011 (OCR C.A.R.E.S) and has continued to assess and improve the functionality of the system and the quality of data we are able to retrieve in order to monitor attorney performance and progress. In FY 17-18 OCR was granted funding through the budget process to replace C.A.R.E.S. The new C.A.R.E.S system was necessary to improve functions for contract attorneys and OCR staff, to reduce support and operating costs and to improve OCR's data collection. The new C.A.R.E.S system launched on April 1<sup>st</sup>, 2018 and is more streamlined with updated functions, better usability, new case alerts, better functioning on mobile devices and built in search technology. In addition, the new system will group billable activities by CJD requirements to facilitate case management and compliance. Lastly, contractors will submit invoices through the new system on a monthly basis allowing greater control and clearer guidelines for contractors reconciling billing and predicting payments. OCR continued to complete system enhancements through FY18-19 and plans to give all users access to on-demand reports regarding CJD compliance and activities. The annual applications process and Satisfaction Survey will help the OCR refine its goals for this project going forward.

### Periodic Review

In FY19-20 the OCR will be enhancing its periodic review of attorney activities by utilizing new reports available through the new CARES system. This includes a quarterly review of the child count report to monitor the child cap and a quarterly 30-day visit report to ensure compliance with this component of the CJD. As the OCR uses these reports over the next year it will establish baseline data and consider incorporating these measures into future performance plans.

## Provide Litigation Support

The OCR believes that well supported and trained attorneys are more efficient and effective when representing a child's best interests. OCR provides the following litigation supports to our attorneys:

- Guided Reference in Dependency (GRID) book
- OCR Listserv
- Litigation Toolkit
- Quarterly Newsletters
- Litigation Support List

### Guided Reference in Dependency (GRID)

The GRID is Colorado's first comprehensive advocacy guide for attorneys in dependency and neglect proceedings. First published by OCR with grant funding from the Colorado Children's Justice Task Force in 2012, this robust reference guide has been given to all OCR contract attorneys and is available online. The GRID features 8 hearings chapters, which include before, during and after checklists and blackletter law discussion and tips and 29 comprehensive fact sheets covering a wide variety of topics. OCR published a supplement to reflect legislation and case law changes in 2015 and in FY17-18 undertook a massive rewrite to ensure the GRID remains a high-quality resource for attorneys and

contains the most up to date information. The updated GRID was released online in July 2018 and distributed in print in September 2018. The OCR is committed to updating the GRID with new legislation and case law on an annual basis.

### **OCR Listserv**

Each contract attorney is required to join the OCR listserv which provides an excellent forum for attorneys to discuss difficult case issues, trends in the state, case law updates and more. OCR also uses the listserv to communicate new case processes, inform contractors of recent developments and provide case law and legislative updates. In FY15-16 OCR launched an enhanced listserv which is now easier to use and features a searchable archive. In FY18-19 attorneys sent a total of 460 emails discussing 153 topics.

### **Litigation Toolkit**

To support attorney efficiency and effectiveness OCR has redesigned its motions bank and the Litigation Toolkit is now available to all OCR contractors on the OCR website. The Litigation toolkit is comprised of both litigation forms and litigation resources to give attorneys a centralized resource when drafting motions, preparing for litigation and researching the multitude of issues impacting cases. In order to be more responsive to emergent needs, the OCR added litigation examples to our litigation forms section. These are redacted examples from OCR contract attorneys. Currently the Litigation Toolkit has 33 litigation forms and 76 litigation resources available to attorneys. OCR will continue to update resources and add additional litigation forms to ensure the Litigation Toolkit remains current and comprehensive.

### **Quarterly Newsletters**

OCR publishes a quarterly newsletter to ensure all contract attorneys have up to date information regarding case law updates, legislative updates, training announcements, and more. In FY18-19 the newsletter was converted to an online platform in response to attorney feedback. This new format allows the OCR to provide links to new cases (which are then available on an online bank of cases) and a searchable link to access new statutes.

### **Litigation Support List**

OCR maintains a list of attorneys with subject matter expertise who are approved to consult on cases in order to be efficient and effective when dealing with crossover issues like domestic relations, immigration, education or appeals. Litigation support ensures attorneys have access to specialized knowledge and experience to assist in high quality representation of the child's best interests.

## **Social Service Professional (SSP) Program**

The SSP pilot program began in FY17-18 in response to information gathered from the OCR's Multidisciplinary Law Office (MDLO) Pilot Program in which the OCR evaluated this method of providing GAL services in D&N cases. While the pilot program was ultimately ended due to the high costs of the model, some recommendations came from the evaluation including exploring ways to make social workers accessible to more GALs and to utilize social workers to enhance best interest representation without duplicating efforts. The use of social workers allows additional work on cases at a lower hourly rate. The OCR was granted (through the budget process) funding for a new SSP coordinator who began work late in

FY18-19. The SSP Coordinator is currently assessing the needs of the entire state and will develop programming to support this important practice throughout Colorado. This needs assessment will inform any additional goals related to this multidisciplinary approach.

OCR monitors attorney satisfaction with litigation support and training, among other programming, in an annual satisfaction survey administered in August of each year. In FY18-19, 142 attorneys covering all 22 judicial districts completed the survey which is used for data below:

Goal 2: The OCR will optimize efficiencies in attorney practice and billing								
Optimize efficiencies through various litigation supports and SSP Program	FY17-18		FY18-19		FY19-20		FY20-21	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
Newsletters published per year	4	4	4	4	4		4	
Update the GRID	Annual	Yes	Annual		Annual		Annual	
% attorneys give high/medium actual value to the GRID as a resource	Est. Baseline	91%	95%	88%	95%		95%	
% attorneys give high/medium actual value to OCR Listserv	Est. Baseline	74%	80%	84%	80%		80%	
Litigation Tool Kit forms/resources available online	Est. Baseline	42	60	109	120		140	
% attorneys give high/medium actual value to OCR Litigation Toolkit	Est. Baseline	64%	70%	72%	75%		80%	

## GOAL 3 Process and Metrics

### Cultivate a learning and practice environment

In FY 16-17 OCR formalized its approach to cultivating a learning and practice environment that focuses on three areas:

- Accessibility - through the OCR website improve accessibility and availability of resources.
- Community – provide a community for contract GALs to partner in shared learning and practice.



- Human Capital – use the collective competencies, expertise and other intangible assets of our contract attorneys and other key partners in the child welfare and juvenile justice communities.

These areas of focus are the overarching umbrella that helps OCR staff craft and refine its litigation support and training. Many of these are discussed in previous sections. Over the course of the next year, the OCR will add training components to support the new SSP program as it develops. In addition, OCR has instituted a mentoring program to partner experienced GALs with new GALs to navigate this complex area of law in their first year of practice. In FY 18-19 there were 28 mentoring pairs covering 11 judicial districts. The OCR has also continued offering Westlaw, a comprehensive legal research tool, at no cost to the contractor. To ensure contractors get the most out of this resource, OCR offered a tutorial in FY18-19 and plans to do an advanced tutorial session in FY19-20.

### Implement OCR Core Competencies

OCR has determined that the following four core competencies are the foundation of high quality representation for dependency and neglect and juvenile delinquency cases:

- **Ethics “What is my role as a GAL”**
- **Substantive Knowledge**
  - Federal and State Law
  - Social Science and Cultural Competency
- **Skills**
  - Out of Court Advocacy
  - In Court Advocacy
  - Effective Engagement with Youth and Professionals
  - Conducting a Meaningful Independent Investigation
- **Law Practice Management**

OCR strives to cover all core competencies throughout its annual training program. In addition, OCR requires new attorneys entering into contracts for dependency and neglect and juvenile delinquency cases to attend two trainings specifically addressing core competencies and practice standards. In FY18-19 OCR added 36 new attorneys across the state.

### Goal 3: The OCR will ensure attorneys remain current in state and federal law and regulations, social science research and evidence based services.

Provide training in identified Core Competencies.	Baseline Data Established FY17-18	FY18-19		FY19-20		FY20-21	
		Goal	Actual	Goal	Actual	Goal	Actual
% of Core Competencies covered in OCR sponsored training	100%	100%	<b>100%</b>	100%		100%	

% of new attorneys who completed Core Competencies I & II	82% (in person only)	100%	91% <sup>5</sup>	100%		100%	
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## Provide relevant, high-quality training in state and federal law and regulations, social science research and evidence-based programs.

The General Assembly charged OCR with providing high-quality and accessible training throughout the state. All OCR contract attorneys are required to do 10 hours of OCR sponsored or approved training. To meet these requirements the OCR hosts an annual conference and provides periodic training throughout the year. In order to ensure this training is accessible state-wide, the OCR provides webinars at least once a quarter on relevant and emerging topics related to child welfare practice. In addition, the OCR works with an audio/visual team to record the majority of OCR sponsored training which is archived and available on its website. The OCR partners with other agencies to provide cross-systems training opportunities as well. In FY18-19 the OCR provided a total of 89 CLEs as follows:

- Core Competencies I: Orientation for New Attorneys
- Core Competencies II: Advanced Training for New Attorneys
- OCR Annual Fall Conference
- 7<sup>th</sup> Annual Excellence in Juvenile Defense, cohosted with the ADC and CJDC
- OCR partnered with the National Institute for Trial Advocacy to provide trial skills training for dependency and neglect GALs
- OCR partnered with the Colorado Supreme Court, the Colorado Court of Appeals, the Court Improvement Program and other state agencies to provide an appellate advocacy training for attorneys statewide
- Webinars on:
  - Working Effectively with Child Advocacy Centers Updated OCR Billing Policies & Procedures
  - OCR Performance Audit Recommendations: New Applications Procedures
  - Westlaw Tutorial: A Few Tips & Tricks
  - Family First Prevention Services Act: From a Colorado Perspective

At the end of FY18-19 the OCR has a total of 344 hours of CLEs available online for easy accessibility to attorneys across Colorado. In addition to the state trainings offered, the OCR paid registration fees for 21 delinquency contract GALs to attend the 7<sup>th</sup> Annual Excellence in Juvenile Defense Conference, 9 contract attorneys to attend the National Council of Juvenile and Family Court Judges annual conference, and 3 contract attorneys to attend the National Association of Counsel for Children annual conference.

Each year the OCR requires attorneys to verify their training requirements. Attorneys who contract to do a very limited case type (for example, a GAL who only takes probate appointments) may have received an exemption since the majority of offered training focuses on dependency and neglect or juvenile delinquency cases. Beginning in FY18-19 all OCR attorneys are required to complete at least 5 of their 10

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<sup>5</sup> This number is not final as the OCR is waiting on responses from 3 attorneys to verify they have completed Core Competencies online.

hours in OCR sponsored trainings. To that end, the OCR will endeavor to provide additional training that is relevant across case types.

### Goal 3: The OCR will ensure attorneys remain current in state and federal law and regulations, social science research and evidence-based services.

Require attorneys to meet minimum training requirements.	FY17-18		FY18-19		FY19-20		FY20-21	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
% of attorneys who have completed the OCR training verification	<i>Est. Baseline</i>	<b>97%</b> <sup>6</sup>	100%	<b>97%</b>	100%		100%	
# of new CLE hours sponsored by OCR per year	<i>Est. Baseline</i>	<b>81</b>	80	<b>89</b>	80		80	
Min. of 5 CLEs offered per year relevant across all case types	-	-	100%	<b>100%</b>	100%		100%	
# of hours of OCR sponsored training focused on juvenile delinquency	10	<b>16</b>	10	<b>17.8</b>	10		10	
Min. of 1 OCR sponsored training focused on non D&N/JD specialty case types (DR/Paternity; Probate/Mental Health; Truancy; Appeals) per year.	-	-	100%	<b>75%</b>	100%		100%	
OCR attorneys Strongly Agree/Agree the OCR offers sufficient in-person training opportunities	<i>Est. Baseline</i>	<b>86%</b>	90%	<b>90%</b>	90%		90%	
OCR Attorneys Strongly Agree/Agree OCR training is tailored to meet the specialized needs of best interest attorneys	<i>Est. Baseline</i>	<b>93%</b>	95%	<b>96%</b>	95%		95%	

<sup>6</sup> Attorneys granted an exception from the training requirements were not included.

## **Disseminate updates on developments in law and social science**

OCR achieves this in a variety of ways mentioned above, including Listserv announcements, quarterly newsletters, the GRID and through the Litigation Toolkit. In addition, the OCR includes a case law and legislative update at least once a year at one of our sponsored trainings.

## **Maintain current and relevant resources for attorney's use**

Detailed in the Litigation Support section, OCR's online platforms serve as an important means of ensuring our archived and searchable Listserv, GRID and Litigation Toolkit benefits OCR attorneys.

## **Conclusion**

The OCR strives to be data driven in a complex and fluid field of law. However, the approximate 275 contractors who represent the best interests of Colorado's children defy charts and graphs, touching the lives of hundreds of children and families every year. It is the voices of these children that serve as the truest measure of performance.

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***“She’d explain to me what was going on [in court] and I’d tell her what I wanted to say and she’d help me figure out how to say it to get my point across and then I’d say it to the Judge and I always felt heard. [She treated] me like an equal and like I was important. She made me feel like she was more than my GAL. She felt like someone I could turn to if I needed help or advice or anything at all. She made my very comfortable. She’s wonderful at what she does.***

*– quote from a former foster youth about her GAL in the case references interviews.*

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