**If engaged as an attorney for a parent during the prepetition phase of a dependency case, actively represent the parent to achieve the parent’s goals.**

Action: possibility of achieving the client’s goals.

Action: The attorney should discuss available services and help the client engage in those in which the client wishes to participate.

Action:

Commentary: In some situations, a parent may seek the services of an attorney regarding a situation that could be the basis for a dependency case before a petition is filed, or the parent may be referred for such services by a community agency or other source. If the parent’s attorney agrees to represent the parent, the goal of representing a parent in the prepetition phase of the case is often to deter the agency from deciding to file a petition or to deter the agency from attempting to remove the client's child if a petition is filed. This section discusses the attorney’s obligations if the attorney agrees to represent the parent. As indicated in the third action item, the attorney may or may not be eligible for payment from OPDS for this work.

During the prepetition phase of a dependency case, the parent’s attorney has the opportunity to work with the parent and help the parent fully understand the issues and the parent’s chances of securing desired outcomes. The parent’s attorney also has the chance to encourage the agency to make reasonable efforts to work with the family, rather than filing a petition. During this phase, the attorney should work intensively to explore all appropriate services, including assistance with legal problems involving housing, criminal case matters, public benefits, domestic violence, and alternate placement plans that might resolve the case. The parent’s attorney should explore opportunities for substantive case meetings such as case planning meetings or case reviews and, where appropriate, attend those meetings.

If it becomes apparent that the child is likely to be removed from the parent’s home, the attorney can limit the trauma the child may experience upon separation from the parents by proposing early and frequent parent-child visits in normalized settings.