

Parent and Child Performance Standards Work Group
Oregon State Bar
Monday, February 13, 2017 (9:00 AM - 1:00AM)
Meeting Notes

Attendees: Lea Ann Easton (Chair), Amy Miller, Liz Wakefield, Angela Sherbo, Shannon Storey, Amy Benedum, Leslie Harris, Megan Jacquot, Linn Davis, and Amy Zubko (Staff)

Did not attend: Joseph Hagadorn and Inge Wells

Minutes: There were no changes to the meeting notes from the January 19, 2017 meeting.

The group completed its review of the outstanding questions. During the meeting, the group reviewed Standards 5, 6, 7, 8, 9 and the Appendices.

At the conclusion of the meeting, there were outstanding questions regarding Standards 2 & 7, Standard 4, and Standard 9. Targeted review of Appendices C&D were identified.

Standard 5

The group updated the Action under subsection A to identify when it is appropriate to review the records of a sibling of a child in a dependency case.

The remaining changes to Standard 5 involved moving existing language from one subsection to another to enhance organization and clarity.

Standard 6

The changes to Standard 6 were minor and ensured that subsections used consistent language when appropriate. Parentheticals were removed from Subsection A Commentary and Subsection C Action.

The Commentary for both Parent and Child in Subsection E were modified to mirror each other.

Standard 7

Standard 7 was discussed in conjunction with Standard 2. The group specifically discussed best practices when a parent does not appear at a hearing and the lawyer's best path forward. The group decided to table the conversation for the next meeting in March. Inge Wells and Shannon Storey will discuss prior to the meeting.

Standard 8

No changes were made.

Standard 9

During the discussion of Standard 9, the group discussed whether filing a *Balfour* brief was appropriate. After discussion, Judge Jaquot agreed to draft language for Standard 9, Subsection C, Commentary addressing the use of *Balfour* briefs in juvenile cases.

Appendices

Appendix A – Lea Ann Easton to provide citation for Appendix A(8) addressing Indian Child Welfare Act.

Appendix B- Two additional areas added in which lawyers should seek training were added:

- Racial and ethnic disparities
- Physical and mental risk factors associated with placement in foster care

Appendix C & D – The group split up some of the subsections of Appendices C and D for additional review.

- A. Shelter Hearings – Liz Wakefield. Specifically looking at the applicability of ICWA
- B. Jurisdiction/Adjudication Hearings – Lea Ann Easton
- C. Disposition Hearings – Amy Miller
- D. Review Hearings and Citizen Review Board Reviews – Lea Ann Easton
- E. Permanency Hearings – Amy Miller
- F. Termination of Parental Rights Hearings – Liz Wakefield