

What Should an Attorney **DO** in a Child Welfare Case?

SKILLS: SAFETY ASSESSMENT

Safety Guide Framework, Summarized:

- ❖ **Central question: Are there sufficient *protective capacities* to protect from *threats* to which the child is *vulnerable*?**
 - *Threats*
 - Specific/observable
 - Out of control
 - Immediate/imminent
 - Severe consequences
 - *Vulnerabilities*
 - Age
 - Physical ability
 - Cognitive ability
 - Developmental status
 - Emotional security
 - Family loyalty
 - *Protective Capacities*
 - Cognitive
 - Behavioral
 - Emotional

- ❖ **Questions to Guide Safety Decisions**
 - What is the nature and extent of maltreatment?
 - What circumstances accompany the maltreatment?
 - How does the child function day-to-day?
 - How does the parent discipline the child?
 - What are the overall parenting practices?
 - How does the parent manage their life?

Resources on Using the Safety Guide Framework:

- ❖ *Child Safety: A Guide for Judges and Attorneys* (American Bar Association (ABA)): <https://www.americanbar.org/products/inv/book/215601/>
- ❖ Child Safety Training for Judges and Attorneys Online Learning Experience (Capacity Building Center for Courts (CBCC)): <https://learn.childwelfare.gov/lms/course/view.php?id=63>
- ❖ Jennifer Renne CIP Talk (2018): <https://vimeo.com/389830243>
- ❖ Therese Roe Lund & Jennifer Renne. "Chapter 15: Child Safety: What Judges and Lawyers Need to Know", in *Child Welfare Law and Practice: Representing Children, Parents, and State Agencies in Abuse, Neglect, and Dependency Cases* (Donald N. Duquette, Ann M. Haralambie, & Vivek S. Sankaran eds., National Association of Counsel for Children, 3d ed. 2016)