

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

SKILLS: TRIAL SKILLS

Even if aligned with another party, a child's attorney has the obligation to independently litigate the child's case to ensure that any trial outcomes are consistent with the child's interest and position. In order to secure strong legal outcomes for their child clients, attorneys in child welfare cases must learn, practice, and hone their trial skills at every stage of litigation:

- ❖ **Discovery**
 - Interrogatories
 - Requests for the production of documents or things
 - Depositions
 - Requests for admissions
 - Requests for examination
 - Requests for inspection

- ❖ **Pre-trial**
 - Motions in limine
 - Pre-trial statements/conferences/strategy sessions

- ❖ **Trial**
 - Opening
 - Closing
 - Direct examination
 - Cross examination
 - Evidence
 - Arguments/objections
 - Expert witnesses

Resources

- ❖ Steve Lubet & John E.B. Meyers. "Chapter 34: Trial Advocacy", 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)