

**The Mississippi Office of State Public
Defender (OSPD)
Interdisciplinary Parent Defense Team**

Parent Partner Handbook



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Casey Family Programs,
whose mission is to provide, improve - and
ultimately prevent the need for - foster care.**

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Interdisciplinary Parent Defense Team
Parent Partner Handbook
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**The Mississippi Office of State Public Defender (OSPD)
Interdisciplinary Parent Defense Team
Parent Partner Handbook**

I. Purpose of Handbook

Peer-to-peer support has become recognized as a valuable strategy to increase successful outcomes for children and families involved in the child welfare system. A parent partner is someone who has navigated through the child welfare system and is able to provide peer support and connect with birth parents, and many birth parents attribute their successful reunification to the involvement of a parent partner. The Mississippi Office of State Public Defender (OSPD) and the Parent Representation Taskforce of the Mississippi's Supreme Court's Commission on Children's Justice determined that the best-practice for the delivery of quality parent representation involves the utilization of an interdisciplinary Parent Defense Team approach (IDT) and includes a parent partner component.

This handbook is designed to provide guidance for parent partners who are working as part of an Interdisciplinary Parent Defense Team. The handbook includes an overview of the Interdisciplinary Parent Defense Team Approach, the roles of the members of the IDT, including a detailed description of the roles and responsibilities of the parent partner. It also includes recommended guidelines and standards for delivering peer support services. The handbook also identifies the needed infrastructure to be provided by the Mississippi Office of State Public Defender (OSPD) to ensure effective and consistent operations of the parent partner component within the interdisciplinary team approach.

Throughout the handbook, you may see the term "client." We refer to a parent currently involved with the child welfare system as a "client" for clarity purposes. The Interdisciplinary Parent Defense Team model promotes equal, mutually respectful partnerships with the client so he or she will feel supported and heard. A unique aspect of the IDT approach is its focus on "client driven representation" – in other words, the client directs the practice of the interdisciplinary team. Parent Partners are key members of the interdisciplinary team who help the client build trust with team members and learn to effectively communicate their perspectives relating to important life decisions for themselves and their families.

Since the parent partner component is still in the beginning stages of being added to the IDT model, new information will be continually added into this handbook. This version of the handbook, dated May 2022, is currently organized into the following sections:

- Overview of the Interdisciplinary Parent Defense Team
- Professional Roles and Team Approach

- Infrastructure of the Parent Partner Component
- Relationship between the Parent Partner and the Client
- Referral and Implementation Process of the IDT Parent Defense Team
- Professional Relationships between the Parent Partner and Child Welfare Professionals
- Evaluation and Quality Assurance Procedures
- Glossary
- Appendix

II. Overview of Interdisciplinary Parent Defense Team

The Mississippi Office of State Public Defender (OSPD) worked together with a small planning team composed of representatives of Casey Family Programs, a parent with lived experience, and the Jurist in Residence for Mississippi, to design a parent partner component to be part of the Mississippi Interdisciplinary Parent Defense Team. The IDT Approach involves a legal team composed of a Parent Defense Attorney, a Parent Social Work Advocate and a Parent Partner. The Parent Partner is a critical resource for the attorney and the family. Under the direction of the attorney, the team works collaboratively to support parents involved in abuse and/or neglect proceedings in Mississippi. With an interdisciplinary approach, attorneys have access to a team of professionals with different experiences and expertise.

The mission of the Mississippi Interdisciplinary Parent Defense Team approach is to strengthen and empower families by providing high-quality, strength based, compassionate, accessible, unbiased, culturally relevant, and comprehensive supports and services to parents in abuse and/or neglect proceedings. This approach allows parents to understand the court process and participate fully and meaningfully in their case planning. The goal is to help parents provide safe and nurturing homes for their children, prevent child abuse and neglect and reduce entries or re-entries of children into foster care.

The parent partner program component is currently being piloted in Mississippi on the Gulf Coast and in Lee County. Parent Partners offer support, advocacy and hope to parents who are experiencing the child welfare system. Parent Partners bring their expertise based on their own lived experience to connect with and motivate parents so they can successfully complete their case plan. OSPD and Parent Representation Taskforce are planning to gradually expand the parent partner component throughout the state. The initial pilot sites will include:

- One or more parent partners with lived experience with the child welfare system serving as members of an interdisciplinary team in their respective sites.

- Trained parent partners who connect with parents involved in the child welfare system to help support them and their families in achieving their case plans.
- Oversight and operational support to all pilot sites from the Mississippi Office of State Public Defender (OSPD).
- Provision of training, support and coaching for parent partners by OSPD and other organizations such as Be Better Now Mentoring (BBNM), an independent, parent-led and peer supported non-profit organization and Families as Allies, a statewide family lead organization with expertise in peer support training.
- Parent Partner Advisory Team that works in partnership with OSPD to provide guidance to the implementation of the pilot projects.

A. Benefits of Interdisciplinary Parent Defense Team in Mississippi

Research findings on this approach

“A growing body of evidence supports the efficacy of interdisciplinary models of parent and child representation. For example, a multi-year study published in 2019 examined the outcomes of 9,582 families involved with the child welfare system in New York City. It found that children of parents who were represented by an interdisciplinary law office spent almost four months less in foster care and achieved permanency, including reunification, and guardianship faster than children of parents who received solo attorney representation. Other studies have also found a positive impact for interdisciplinary teams representing children. A Flint, Michigan study found interdisciplinary teams support case resolution and family preservation through a greater likelihood of case dismissal at adjudication, an increased likelihood of placement with relatives instead of foster care, and a decrease in termination of parental rights petitions.” (Family Justice Initiative, Making the Legal System Work for Children and Parents, Attribute 2. Implementing Interdisciplinary Practice Model, <http://familyjusticeinitiative.org>)

Please also see additional research findings in the publications listed below:

- *“Strange Bedfellows: How Child Welfare Agencies Can Benefit from Investing in Multidisciplinary Parent Representation,” Sankaran, Rideout, and Raimon*
- *Martin Guggenheim & Susan Jacobs, Providing Parents Multidisciplinary Legal Representation Significantly Reduces Children’s Time in Foster Care, Child Law Practice Today (June 4, 2019), https://www.americanbar.org/groups/public_interest/child_law/resources/child_law_practiceonline/january---december-2019/providing-parents-multidisciplinary-legal-representation-signifi/.*

B. Value of Parent Partner Component

Parent Partners are a valuable addition to a parent's legal representation team. They serve as valuable assets in:

- Working closely with the parent to help achieve the parent's goal as quickly as possible
- Providing parents with practical support and information – including up-to-date information on available community resources
- Providing non-judgmental support for parents as they deal with the emotional toll of removal and the stresses of navigating the complexities of the child welfare system
- Working with the IDT parent social work advocate and attorney as a member of the client's legal team
- Attending hearings in court to support parents
- Advocating for the parent at various meetings with key stakeholders
- Assisting the parent in accessing and maintaining enrollment in court ordered services
- Assisting the parent in accessing and coordinating all needed resources and social services to achieve their case plan.
- Advocating for parents and guardians out of court to further their case

C. Core Beliefs and Values of Interdisciplinary Parent Defense Team

- ✓ We believe families generally enter the child welfare system with real and complicated temporary deficits, in conjunction with social barriers which impact their temporary abilities to care for their children. We also believe almost every parent, despite their baseline parenting skills when entering the child welfare system, has the capacity to make positive and meaningful changes in their parenting abilities that will allow them to successfully reunify with their children.
- ✓ We believe a families' chance of succeeding improves exponentially when provided effective legal representation, timely services, effective services, positive supports, and sincere opportunities to learn and grow.
- ✓ We believe positive outcomes for families can be achieved when the child welfare system views children in context of their family.
- ✓ We believe every child's basic right is for the system they encounter to make active and consistent efforts to have their parent(s) returned to them in a safe environment.
- ✓ We believe parents in dependency and termination proceedings deserve a trusted, accessible and non-coercive social worker who can help guide them through the complex and multi-faceted social structure of the child welfare system.
- ✓ We believe Parent Partners have unique leverage in developing trusted, accessible and non-coercive relationships with parents.

- ✓ We believe parents in poverty tend to be disempowered and marginalized by society from well before entering the child welfare system. By working towards empowering these parents in dependency and termination proceedings, we create opportunities for parents to make better choices.
- ✓ We strive to provide parents with motivation, support, system education, and hope while attempting everything within our professional capacity to remove unnecessary barriers, thus improving families' real chances of succeeding in the all too often complex and impersonal child welfare system.

Core Values of Parent Defense Teams

- ✓ All parents have strengths;
- ✓ Whenever safely possible, the constitution establishes that parents be designated to raise their children;
- ✓ All families need and deserve support and encouragement. How much and what kind varies throughout a families' lifespan;
- ✓ All parents have different, but important skills;
- ✓ Parents who fully understand their options can make better choices;
- ✓ All parents have hopes, dreams, and wishes for their children;
- ✓ All families are resourceful, but not all families have equal access to resources;
- ✓ Diversity is an important and valuable reality in our society;
- ✓ All families should be assisted in ways that help them maintain their dignity and hope;
- ✓ Timely and effective services work for families;
- ✓ All families should be partners in their relationship with service providers;
- ✓ Services are provided so families can reach their goals, and are not themselves a measure of success;
- ✓ In some situations, it may take time for parents to understand their underlying problems; patience rather than judgment is a key component in successfully engaging parents to empower themselves; and
- ✓ Through the act of parent advocacy, parents will feel supported and understood.

III. Members of the Interdisciplinary Team and Team Approach

A. Professional Roles

1. **Role of the Parent Defense Attorney.** The attorney provides quality and effective representation to parents at all stages of the child abuse or neglect proceedings consistent with the established Performance Standards. The attorney advocates for the parent's goals and empowers the parent to make informed decisions based on legal counseling. The Attorney also protects the parent's rights including the right to services, visitation, information and decision-making while the child(ren) is in foster care. The attorney strives to work collaboratively to resolve matters. Attorneys are recommended to have at

least 12 hours of initial training and required to have at least 6 hours training annually to be certified as a parent attorney. OSPD provides multiple training opportunities throughout the year. Attorneys may also attend programs not sponsored by OSPD with approval of OSPD and the Commission of Continuing Legal Education. OSPD maintains a certification list that is updated regularly.

- 2. Role of the Parent Social Work Advocate.** The Parent Social Work Advocate is available to attorneys to assist parents involved in abuse and/or neglect proceedings. The licensed social worker substantially complies with the Supplementary Certification Standards for Performance of Multidisciplinary Defense Teams. This position works primarily as a case manager providing parent support, investigative and advocacy services and may act as a fact witness. The Parent Social Work Advocate understands that he/she is not acting in a therapist role and makes this information clear to the parent and other professionals. Parent Social Work Advocates have a masters or bachelor's degree in social work, sociology, psychology, human services or related fields, and/or are licensed as social workers in the State of Mississippi.

Social Workers may provide many roles in support of parents. These roles may include but not be limited to:

Parent Support

- Communicates, engages and motivates parents to participate in their case plan;
- Provides information/orientation on the dependency process;
- Assists parents in locating and obtaining court ordered services;
- Collaborates with Agency caseworkers in enrolling parents in approved services;
- Attends court hearings as parent support;
- Provides on-going in-person visits to assess progress; and
- Assists parents in locating and obtaining concrete services (clothing, furniture, household goods, etc.).

Investigators

- Observes visits;
- Conducts relative searches;
- Assists attorneys in locating relevant child welfare research;
- Assists attorneys in researching Agency Policies and Procedures;
- Reviews case files/discovery for attorneys;
- Conducts relative home-studies;
- Interviews third parties;
- Assists attorneys in locating expert services;
- Assists attorneys in preparing alternative reunification plans; and
- Assists attorneys in contacting service providers.

Parent Advocates

- Assists parents in asserting their rights in dependency and termination process;
- Advocates for services, visits, etc;
- Communicates with service providers regarding parents' progress;
- Communicates with Agency caseworkers regarding parents' progress;
- Communicates with CASA/GALs regarding parents' progress; and
- Attends staffing.

Witnesses

- Act as a fact witness;
- Prepares affidavits for court; and
- Provides home visits or other face to face contacts as part of court ordered safety plans.

Community Child Welfare Participants

- Participates in community child welfare and court improvement meetings;
- Provides Program information to community groups; and
- Attends child welfare related conferences and shares relevant information with the team.

- 3. Role of the Parent Partner.** A parent partner is a parent (mother and/or father) who has lived experience with the child welfare system, and who has exhibited exceptional qualities in their own efforts to develop viable permanency plans for their children. To be considered for this position, the Parent Partner's case must be closed, and he/she must be maintaining family stability. A Parent Partner has a clear understanding of how the child welfare system works and also demonstrates a desire and ability to collaborate on various levels. A Parent Partner possesses a positive attitude, sincerity, and a willingness to help others. The Parent Partner works closely with the parent involved with the child welfare system to help achieve reunification or an alternate permanency plan as quickly as possible by:

- Providing parents with practical support and information – including up-to-date information on available community resources
- Working closely with the parent social work advocate and attorney as a component of the parent's legal defense team
- Attending hearings in Youth Court to support the client and assist client in navigating the various court hearings
- Advocating for the parent at various meetings with key stakeholders
- Maintaining adequate records and data for each case
- Assisting the parent in accessing and maintaining enrollment in court-ordered services

- Providing non-judgmental support for parents as they deal with the toll of removal and the stress of the child welfare system
- Setting an example of resiliency and/or recovery
- Assisting parents to be more open-minded and engaged in the process of working with professionals in the system.
- Assisting in accessing resources and social services coordination.
- Advocating for parents and guardians out of court to further their case
- Developing and providing resources to support positive interactions between the parent and children.
- Building supports around transportation.
- Attending out-of-court meetings at which advocacy is necessary, such as Family Team Meetings (FTMs) and service plan meetings.
- Facilitating effective communications
- Assisting with data collection and reporting, including entering data in electronic case files.
- Communicating with defense team members in-person and via text messages, emails, and phone calls.

Parent Partners are expected to display the following skills and qualities:

- Personal qualities that promote collaboration and partnerships with the child welfare system such as integrity, good listening skills, ability to empathize, and a positive attitude.
- Ability to share their own child welfare experience but have insight to share it only when it can help the other parent.
- Commitment to the safety and well-being of children and are willing to embrace the mission of the agency.
- Understanding of the requirements of a mandated reporter of child abuse and neglect.

The qualifications of a Parent Partner are as follows:

- Maintains a healthy and stable family situation with no current child welfare involvement for safety issues.
- Previous child welfare experience resolved at least one year before accepting their first case, so that they
 - Have been reunited with their children for at least one year, OR
 - Have had at least one year to resolve issues related to termination of parental rights or have achieved some other family arrangement of their choosing
- Clear evidence that issues that resulted in an out-of-home placement or termination of parental rights have been resolved and that the parent is in a place where he or she can provide effective peer support to others.
- If the individual was a noncustodial parent, he or she has had experience working with the child welfare system and are able to assist other noncustodial parents.

- If the prospective Parent Partner's case involved substance use, he or she must be able to demonstrate they do not currently use substances illegally or have a substance abuse problem.
- Available to engage and routinely meet parents assigned to them for peer support.
- Ability to attend regular team meetings
- Some high school education. Diploma or GED preferred
- A valid driver's license is preferred.
- Understand and complete confidentiality training and sign a confidentiality statement, including any HIPPA or Youth Court confidentiality requirements.
- Submit to a criminal background check and child abuse registry check. Before being asked to agree to the check the applicant will be informed that conviction(s) or substantiated case will not prevent employment unless the conviction(s) directly relates to the duties and responsibilities of the job of Parent Partner. The applicant will also be informed that they will be given an opportunity to explain their record including why they believe it does not directly relate to the duties and responsibilities of the job of Parent Partner. It is also understood that all Parent Partners will have at least one substantiated case with CPS.

➤ Please see the Sample Role Description of a Parent Partner in Appendix 1

4. Role of the Parent Partner Coordinator. This is a lead Parent Partner who will provide guidance, coaching and support to other parent partners to help them develop their knowledge and skills. The Parent Partner Coordinator will also be responsible for referring properly trained parent partners to the parent defense attorney. Below are some of the key responsibilities of this position.

- Facilitating the hiring, training and ongoing leadership development of new parent partners
- Connecting parent partners to other members of the interdisciplinary team
- Connect parent partners to clients
- Overseeing parent partner services and day-to-day tasks
- Providing supervision and coaching to parent partners
- Providing support to parent partners
- Establishing and maintaining data collection
- Developing and implementing a pre-post survey for quality assurance
- Participating in community child welfare and court improvement meetings
- Providing Program information to community groups
- Attending child welfare related conferences and shares relevant information with the team.

B. Team Approach

Parents involved in child abuse and/or neglect proceeding are in crisis. While it is important to have strong in-court advocacy to protect a family's integrity and child safety, parents often need more assistance to successfully reunify and cope with the trauma of child removal and the many overwhelming issues relating to child abuse and neglect. An interdisciplinary approach brings a wide range of viewpoints and areas of expertise to the case, which can lead to stronger strategies, more effective litigation, and extra support for the parent and children.

In the Mississippi Interdisciplinary Defense team model, the attorney has the lead role on the team, provides the overall direction and makes final legal decisions on the case, according to the client's wishes. The attorney also supports the client driven approach and encourages the client to direct the discussion and decisions with the team. The attorney makes sure that all team members have the most current information about the child and family and are aware of the case strategy and the families' service needs. The team meets on a regular basis, weekly if possible, and develops strategies regarding the advancement of the legal case and also identifies the needs of the parents. The attorney will encourage team members to share their expertise relating to the case. In particular, the attorney will encourage the client to direct the decisions regarding them and their family. For example, the Parent Social Work Advocate and the Parent Partner may support a parent in accessing housing, mental health, and other services, engage in services, and strategize regarding reunification or other permanency plans for their children.

During the weekly team meetings, the team members should openly communicate about new cases and progress on existing cases. A typical team meeting agenda covers areas such as:

1. Review of Calendar of upcoming events and court dates
2. Review of progress on all cases in which the Parent Partner is involved
3. Discuss any barriers to assisting the parent in achieving their case plan
4. Review of motions that need to be made by the attorney, if any
5. Review and discuss new case referrals
6. Discuss any special requests of a Parent Partner (e.g. assisting a parent in getting ready for court)

C. Professional Relationships with Attorneys

1. Agent of the IDT Parent Defense Attorney

The Parent Partner serves as an agent of the attorney. The attorney defines the roles and duties that the Parent Partner will carry out relating to the case. The Parent Partner will maintain as confidential all privileged communication between team members and between the client and Parent Partner.

Communication includes but is not limited to in-person discussions, telephone

calls, text messages, video conferences, e-mails, and any other electronic communication method. Parent Partners must be aware of their ethical obligations of being an agent of the attorney.

2. Client Conflict of Interest

- a. MS Rules of Professional Conduct Rule 1.7 Conflict of Interest: General
Parent Partners will not undertake any client's case where there is a conflict of interest. A conflict of interest exists where helping a specific client may or does adversely affect the relationship with another client or if accepting the case will limit the Parent Partner's responsibilities to another client. A Parent Partner owes a duty of loyalty to a client and cannot accept a case if, for any reason, that Parent Partner's responsibilities are materially limited.
 - Please see the entire Rule 1.7 in Appendix 16
- b. Performance Standards for Parent Attorneys
The MS Certification Standards for Performance of Attorneys Representing Parents in Child Protection or Termination of Parental Rights Proceedings offers additional guidance on client conflicts of interest. An attorney therefore, all IDT members, shall not represent a parent if the representation will be adversely affected, or materially limited, by obligation or responsibilities owed to another client or by the IDT member's own interest, unless the risks associated with that conflict are reasonably minimal and the client has given knowing and informed consent after being fully advised of the adverse consequences that could occur from those risks. For example, each parent in a case should have their own IDT. Both parents may consent to the joint representation, but each client must be informed of the potential conflict and that if an actual conflict arises, the IDT will no longer be allowed to work with either party.
 - The Performance Standards for Parent Attorneys can be found on OSPD's website

If there is any question or concerns regarding a possible conflict of interest, either personal or professional, please speak with the attorney on the case to develop an appropriate plan of action. Attorneys often struggle to identify potential conflicts so don't hesitate to ask for help!

3. Collateral Case Information Provided to IDT Parent Defense Attorney

The Parent Partner shall share all case specific information provided by Mississippi Department of Child Protection Services (CPS) workers, service providers, Court Appointed Special Advocates (CASAs), Guardians ad Litem (GALs), other professionals and/or other collateral information sources with the Attorney. All case specific written communication provided to CPS workers, services providers,

GAL/CASA, other professionals and/or other collateral information sources shall also be copied to the Attorney unless the Attorney directs otherwise.

D. Mandated Reporting

Parent Partners are mandated reporters of child abuse or neglect in accordance with Section 43-21-353 of the Mississippi Code of 1972. This means that parent partners must report any allegations of abuse and/or neglect that they have reason to believe occurred after having been engaged with the family. A report must be made immediately to the Hotline, 800-222-8000, a statewide toll-free 24-hour line that is answered seven days a week or submit it online through MDCPS's website at <https://reportabuse.mdcps.ms.gov/>

Parent partners are trained on State laws and informed of agency protocols regarding the safety of children. If a Parent Partner must make a mandated report regarding a current client, the Parent Partner shall communicate the mandated reporting information to the parent and the Attorney at the earliest point the disclosure can be safely accomplished. Parent Partner shall follow up with a writing for the attorney to document any incidents. If the Parent Partner personally observes a child in danger, they should call 911 and make sure that the child is safe. The Parent Partner should then contact the attorney as soon as possible about the situation.

➤ Please see the Mandated Reporter form in Appendix 2

E. Confidentiality – benefits and parameters of parent/attorney privilege

Parent Partners, when hired, will sign an agreement that they are a non-lawyer assistant or representative of the assigning Attorney. As such, Parent Partners have to follow the same rules of confidentiality that the attorney does as well as enjoying the same Attorney – Client Privilege.

- a. MS Rules of Professional Conduct Rule 1.6. Confidentiality of Information
A lawyer shall not reveal information relating to the representation of a client unless the client gives informed consent, the disclosure is impliedly authorized in order to carry out the representation, or the disclosure is permitted by certain risks of harm to the client or other.

➤ Please see the entire Rule 1.7 in Appendix 16

- b. MS Rules of Evidence 502. Lawyer-Client Privilege
Lawyer-Client privilege means that communications between a client and the Attorney or IDT working with the assigned Attorney is confidential. The client has the right to refuse to disclose and to prevent their representation team from disclosing, any confidential communication made to help in the professional legal services they are receiving. This privilege may be claimed by the client, the child's guardian, the lawyer, or the

lawyer's representative on the client's behalf. Parent Partners should be aware the having someone other than the client and IDT members in a communication can make that communication not privileged. For example, a conversation with the client and the client's mother or boyfriend would likely make that conversation not privileged and subject to disclosure. There are exceptions to this privilege. The main exception to the privilege is that it does not apply if the lawyer's services were sought or obtained to help anyone plan or commit a crime or fraud. There are others as listed in the Rule as attached in the Appendix. If the parent partners have questions about when they may disclose a client's confidential communication, they should discuss the matter with the assigning Attorney.

➤ Please see MS Rules of Evidence 502 in Appendix 17

c. MS Code Ann. §43-21-261 Disclosure of Records

Parent Partners must also keep client's records confidential. §43-21-261 states that any records involving children shall not be disclosed other than to Youth Court staff, the GAL appointed to a child by the court, or a CASA volunteer, except by order of the court.

Unfortunately, this also means that records cannot be given to the client.

Upon request, the client can inspect the records, report or investigation and the attorney for the parent can be given a copy. The attorney, and the parent's IDT, **CANNOT** provide copies or access to another person without prior consent of the court.

➤ Please see MS Code Ann. §43-21-261 in Appendix 18

d. Rule 5(b), MS Rules of Youth Court Practice - Confidentiality of Records and Proceedings

Rule 5(b) reiterates that Child protection proceedings shall be confidential. Records and case information cannot be disclosed without court order. If there is any question regarding what information can or should be disclosed, the Parent Partner should discuss the matter with the assigning Attorney.

➤ Please see a Rule 5(b) of MS Rules of Youth Court Practice in Appendix 19

IV. Infrastructure of the Parent Partner Component of the IDT Parent Defense Team in Mississippi

The Mississippi Office of State Public Defender (OSPD) is a state agency created by Miss. Code § 99-18-1. OSPD is authorized to provide representation to indigent parents in child protection and termination of parental rights matters in Youth Court and on appeal. The Parent Defense Program at OSPD oversees the delivery of services to parents in child welfare cases, training and technical assistance to the front-line defenders and representation on select appeals. Services are provided

through partnerships with the Center for Legal Services and several county-based public defense projects.

OSPD will serve as the host agency and provide operational support to the Parent Partner component of the IDT in the pilot sites on the Gulf Coast and Lee County. The OSPD Parent Defense Program Manager will have lead responsibility for coordinating with all pilot sites. OSPD will provide a structure that includes clear roles, coordination and support of the parent partner component.

OSPD will work in partnership with a Parent Partner Advisory Team to provide overall guidance to the implementation of the pilot project. The Parent Partner Advisory Team shall initially include an OSPD representative, a Youth Court judge (retired preferred but active is acceptable), a Casey Family Programs representative, and two (2) parents that are training to be or serving as parent partners.

OSPD and the Advisory Team will work to maintain an infrastructure for the Parent Partner component that meets parents' needs in an effective and sustainable manner. They will also work with the Parent Representation Taskforce to develop an expansion and sustainability plan to increase the number of counties operating a parent partner program.

OSPD is contracting with Be Better Now Mentoring (BBNM), a nonprofit parent-led organization to provide a Parent Partner Coordinator in the Coastal pilot sites. The Parent Partner Coordinator will take a lead role in helping to recruit, train, refer and supervise parent partners. OSPD will manage the pilot site in Lee County in collaboration with the parent defenders. BBNW will take lead responsibility for coordinating the Parent Partner Advisory Team meetings.

A. Office Space and Equipment

The parent partners should have furnished office space available at the pilot site locations. They will also need access to office equipment including computers, telephones, office supplies and zoom accounts to carry out their work. They must have one email account set up exclusively for their professional position. The e-mail account shall be private and not accessible by others.

B. Recruitment and Selection of Parent Partners

The initial recruitment of parent partners will occur through recommendations made by parent attorneys, social workers, judges and court administration within the pilot sites, Be Better Now Mentoring Parent Partner Coordinator and members of the Parent Partner Advisory Team. Referral sources will be encouraged to invite

potential candidates to apply for the parent partner positions by completing an application form.

- Please see a Job Application Form in Appendix 3

Parent partners must have had experience with the child welfare system and understand the complex needs of families entering the child welfare system. Eligible candidates should have successfully resolved their own child welfare system matter and currently have a stable family situation. In addition, parent partners must possess personal qualities that promote partnerships and professional conduct. Selection is based on workforce development best practices and includes the following steps:

Step 1. Complete a standardized application form by a parent partner applicant.

- Please see a Job Application Form in Appendix 3

Step 2. Convene an interview team, which should include the OSPD Parent Defense Program Manager, the Be Better Now Mentoring Parent Partner Coordinator, a Parent Defense Attorney, A Parent Social Work Advocate and other personnel as needed.

Step 3. Conduct a structured interview process using a standardized interview tool to help lessen bias and ensure that the best candidates are selected.

- Please see the Sample Interview Tool in Appendix 4

Step 4. Explain to candidates the position's responsibilities, expectations and job requirements. (Consideration is being given to show a short video that presents a view of the position and/or a brief opportunity for a prospective candidate to watch an existing Parent Partner do her/his job).

Step 5. Explore how candidates have resolved any trauma or stress resulting from their child welfare experience, especially in cases that resulted in termination of parental rights. A parent who is still grieving his or her loss may use the parent partner role to inappropriately conduct advocacy work. Such practice can harm other parents without the Parent Partner realizing they are causing harm. The interview team must determine if the candidate is in the correct mindset to be a peer support.

Step 6. Assess each candidate's level of insight, knowledge, and understanding of the peer-to-peer support process.

Step 7. Assess each candidate's skills and competencies in working with other parents. It is easier to assess competencies in engaging other parents when the candidate has been a family leader within other agencies and/or serving on committees, as a training partner, or some other role.

Step 8. Assess the candidate's capacity for empathy toward others and the capacity to use one's own life experiences to support others.

Step 9. Evaluate any background check results and allow the candidate the opportunity to explain anything included in their record.

Parent partners must be carefully selected based on their demonstrated success in navigating the child welfare system in their own case, their demonstrated leadership skills, and their capacity to work cooperatively with others within the system. They also demonstrate an ability to make a shift from focusing on themselves to supporting another parent in a positive manner.

C. Hiring, Supervision, Monitoring and Termination of Parent Partners

Hiring - Once the interview team agrees on a particular candidate, a contract will be offered by the hiring entity, whether it is OSPD, Be Better Now Mentoring, the county, or some other entity. The contract will describe the Parent Partner duties, the agreed upon time requirement per week or month and compensation. Once the contract is signed by the Parent Partner, the OSPD Parent Defense Program Manager will coordinate with the Parent Partner Coordinator to explain the supervision process to the new Parent Partner and also arrange for the new hire to be oriented to their new position. Those who are already certified peer support specialists with the Department of Mental Health may be given hiring priority.

Supervision – The Parent Partner Coordinator will establish a schedule for individualized supervision to support the new Parent Partner in carrying out all aspects of the work. The supervision will focus on work performance, life balance and professional growth. The Parent Partner and their coordinator must be alert to relapse triggers that might result from working with parents with problems similar to their own and address these issues through supervision. If the concerns are unable to be resolved through supervision, the Parent Partner Coordinator will talk to the Parent Partner about referrals to other appropriate resources as well as taking a temporary leave of absence.

Monitoring – In addition to individualized supervision, the Parent Partner will also be monitored by the parent defense team attorney and the parent social work advocate. They will make sure that the Parent Partner is maintaining contact with the parent, documenting information and updating the interdisciplinary team members about the developments on each of their assigned cases.

Termination – The contract will include the beginning and end dates of the contract and also specify circumstances that could lead to termination of the contract, such as a breach in confidentiality or failure to perform duties as agreed upon.

D. Professional Liability Insurance

It is recommended that Parent Partners carry and maintain professional liability insurance or are covered under professional liability insurance carried by another member of the parent defense team.

E. Orientation and Training of Parent Partners.

OSPD will coordinate the delivery of parent partner orientations and trainings in partnership with Be Better Now Mentoring, Families as Allies, MS Department of Mental Health and other outside experts as needed. OSPD and the Parent Partner Coordinator will ensure that the trainings will provide parent partners with a clear understanding of

1. The Interdisciplinary Team Approach -Parent Defense Team
2. Parent Partner Role and responsibilities
3. The Youth Court Abuse or Neglect Case process
4. The case management process, documentation and time keeping requirements
5. Strategies to engage and motivate parents while maintaining healthy boundaries
6. Confidentiality requirements
7. Mandatory reporting requirements
8. How to meet a parent where he/she is so the parent partner can effectively support the parent in achieving their goals
9. How to identify a parent's needs so the parent partner can help him/her obtain appropriate services

Some of the other training topics may include:

- Strengths-based service delivery
- Helping families build and strengthen their protective factors
- Team building
- Strengths Finder Training
- The child welfare system
- The peer-to-peer support process
- Family team meetings
- Court structure and processes
- Drug and alcohol use/abuse
- Mental health and domestic violence
- Confidentiality
- Mandated reporting
- Time Managements skills
- Presentation and communication skills (*Strategic Sharing* training)Setting boundaries

- Crisis management
- Self-care and prevention of burnout
- Cultural competency
- Community resources
- Family Visitations
- Supporting parents in connecting to their attorneys (parent partners are trained not to give legal advice.)

F. Work Hours and Compensation of Parent Partners

The expected work hours per week and/or month and rate and/or method of compensation of a Parent Partner will be described in a written contract between the contracting entity and the Parent Partner. Fulltime, part-time, and/or hourly Parent Partners will make their availability hours primary during the normal business day. The contract shall also include a written leave policy.

Timekeeping Form. Parent Partners are expected to complete a Timekeeping Form documenting activities relating to their cases and other work-related duties monthly. Timekeeping shall be done in 15 min (0.25 hours) increments. The timekeeping form documents the number of hours spent on the following activities:

- Name of family
- Type of contact (in-person, telephone, zoom, text, email)
- Attendance at the Family Team Meeting
- Supported at court
- Attended other meeting related to the parent's case
- Face-to-face contact with the parent
- Spoke with Parent
- Helped parent access needed services
- Supported parent before of after family visitation
- Supported parent in connecting to informal supports
- Attended other meetings, trainings and activities
- Brief Description of the Activity.

BBMN shall submit to OSPD all completed timekeeping forms with its monthly invoice. Lee County lead Parent Defender shall provide all Parent Partner timekeeping forms with the Monthly Report.

- Please see Monthly Activity Tracking in Appendix 7

G. Caseload/workload

A “case” is defined as any referral from an Attorney where Parent Partners are asked to work with a client.

The number of clients a Parent Partner can handle at a time will depend on the complexity/difficulty of the case. It is not anticipated that every IDT client will have a parent partner. Parent partners like social workers should be assigned to the most difficult cases.

Attorney caseload standards for Fulltime attorney is 60-100. Factors such as travel, number of courts serving, support services available are significant factors in determining appropriate caseload. Based on the Washington State experience, social workers are expected to limit caseloads to 28 -33.

We do not have sufficient experience to establish standards for parent partners. The experience in the pilots will be used to establish firm numbers. Based on the social work standards and the standards set for the youth intervention court peer-mentors in Harrison/Hancock¹ pilot, the initial caseload limits shall be 15-30 clients at a given time.

In assessing caseload the level of client need should be considered.

Level 1: Clients with diagnosed Substance Use Disorder or serious use/abuse issue

Level 2: Clients with substance use issue or allegation of child abuse

Level 3: Clients with allegation of neglect

Level 4: allegations are best classified as “poverty”

Parent partners would not usually be assigned to Level 4 matters. Estimated attorney caseload distribution: Level 1 = 3-10%; Level 2 and 3 = 10-50%.

Time per client estimates:

Level 1 estimate = 2 hours per client per week

Level 2 estimate = 1-2 hours per client per week

Level 3 estimate = 1 hour per client per week

Parent Partners will talk with the Parent Partner Coordinator and/or attorney and/or social worker about a caseload that they can handle. A part-time Parent Partner caseload must be adjusted to a pro rata share based on the number of hours contracted.

H. Recordkeeping and Retention of Files

Recordkeeping is kept to a minimum in the interest of providing as many direct services to families as possible. Parent Partners are expected to complete three documents relating to their assigned cases. The three documents include:

- Family Service Plan (FSP) Form – This form is used to document the family’s service plan goals and tasks. The Parent Partners use this form to record the beginning and completion dates of tasks and it also documents for the attorney when the FSP goals and tasks are completed.

¹ Harrison and Hancock youth court judges advised that 15 participants per mentor is recommendation of MDMH for peer-mentors for SUD/MI participants.

- Please see Family Service Plan Tracking in Appendix 8
- Family Visitation Log – The Parent Partner uses this form to track family visits. The Parent Partner documents the dates for visitation, whether the parents were in attendance and any relevant notes that they wish to include relating to the visits. This information can be obtained from the client, or in person attendance or anyone else at the visitation.
 - Please see a Family Visitation Log in Appendix 9
- Timekeeping Form - The Parent Partner uses the timekeeping form to document the number of hours spent on activities for each assigned case. The documentation shows the peer-to-peer support that the Parent Partner provides in helping them achieve their family service plan. Activities documented on this form may include tasks such as:
 - Attendance at the Family Team Meeting
 - Supported at court
 - Attended other meeting related to the parent's case
 - Face-to-face contact with the parent
 - Helped parent access needed services
 - Supported parent before or after family visitation
 - Supported parent in connecting to informal supports
- Please see Monthly Activity Tracking in Appendix 7

Parent Partners are expected to keep all case records and documents/information regarding parents in locked file cabinets or secure locations. Copies of all case documentation are also maintained by the Attorneys. All case records are retained for a minimum of two years after case closing. In lieu of retaining records, Parent Partners may request the Attorney retain the records in the parent's file.

Once a case closes and there is a determination by the parent partner to no longer retain case records or the relationship of the parent partner with OSPD or any other supervising entity is terminated, the parent partner shall immediately deliver all case documents to the parent attorney for that county site and the parent attorney shall maintain or dispose of those records in a manner respecting confidentiality under the Mississippi Rules of Youth Court Practice and Rules of Professional Responsibility.

I. Management of Complaints.

The Parent Partner will try to resolve any disputes with other professionals that may occur related to their work. Any disputes that the Parent Partner cannot resolve should be directed to the assigning Attorney for resolution. Any disputes

regarding Parent Partner practices not resolved with the assigning Attorneys may be referred to OSPD for consultation and resolution.

V. Relationship Between Parent Partner and Parents

- A. *Initial Contact.* The Parent Partner will reach out by phone to schedule an initial in-person, one-to-one meeting at the location of the client's choosing. If the client can't be reached by phone, the Parent Partner will try text or email or may attempt a home visit, if they feel it is necessary (such as knowing the client doesn't have access to other communication). The Parent Partner will share court informational videos, complete an informal interview and begin building rapport with the client.
- B. *Voluntary Service.* Parent Partners are expected to inform clients, at their first contact, that the services of a Parent Partner are voluntary and at any time in the proceeding, the parent may choose to discontinue services.
- C. *Communication with Clients.* When referrals are accepted by Parent Partners, initial contacts are made with parents as soon as possible but no later than five business days after referral. During the initial contact with the clients, the Parent Partner provides them with their direct contact information and normal business hours availability. The Parent Partner meets and communicates regularly with the clients. Parent Partner's communication with clients primarily focuses on their progress and any barriers faced relating to court ordered services. Additional communication focuses on the support roles of Mississippi Department of Child Protection Services, service providers and other parties in the case. The Parent Partner works to guide clients in overcoming barriers and assisting them in accessing needed services to meet their court ordered services and self-directed goals.
- D. *Informed Consent.* Parent Partners verbally and/or in writing inform parents, about informed consent information including at a minimum, full disclosure of the following information listed below:
- Please see Informed Consent Form in Appendix 6
 - Role as agents of Attorneys, including attorney/client privilege;
 - Purposes of Parent Partner services;
 - Mandated Reporter status;
 - Voluntary professional relationships;
 - Timeframes covered by consent;
 - Parent's right to ask questions;
 - Parent's right to refuse or withdraw consents;
 - Parent's complaint/grievance procedures; and
 - Services provided at no cost to the parents.

- E. *Transporting Parents and Children.* Parent Partners are not required to transport parents as part of their subcontract obligations. Parent Partners help parents search all other transportation possibilities before transportation is provided. Parent Partners shall not transport children under the age of 18 years. Parent Partners are responsible for ensuring they have a valid driver's license and that they have adequate private automobile insurance.
- F. *Support at Court Hearings.* The Parent Partner will provide support to the client in understanding and navigating court hearings. Parent Partners will receive training regarding the basics of the Youth Court Process. For more detailed information on court hearings, please speak to the attorney or supervisor. The parent partner shall not be a witness in court hearings relating to the case.
- G. *Release of Information.* At the request of the attorney, Parent Partners are expected to obtain all necessary signed consent forms from parents to obtain and release any necessary information. These releases should be provided by the attorney on an as needed basis. Parent Partners may explain the value of release of information with clients and obtain signatures.
- H. *Interpreter Services.* In order to carry out their professional roles, Parent Partners may need to obtain the services of interpreters. In situations where interpretation services are determined necessary, Parent Partners are expected to obtain approval through referring Attorneys.
- I. *Client Complaint/Grievances.* Upon request from clients, Parent Partner provides the client with information on submitting formal complaints/grievances regarding their work with a Parent Partner. Parents are first encouraged to discuss and resolve their complaints/grievances with the Parent Partner. If complaints or grievances are not resolved between the client and the Parent Partner, the client is directed to discuss the concerns with their assigned Attorney. If the complaints or grievances are not resolved between the client and the Attorney, the client is directed to the OSPD Parent Defense Program Manager.
- J. *Closing Cases/Terminating Services.* Cases are closed for the following reasons:
- If requested by the client or referring Attorney.
 - When the Parent Partner and the Parent Social Work Advocate determine that their services are no longer necessary, and the referring Attorney concurs.

- If no in-person or telephone contact has been made between the Parent Partner and client during the last full calendar month. Diligent contact attempts should be made and documented by the Parent Partner before a case is closed for lack of client availability.
- No Parent Partner case shall remain open for more than 15 months without prior approval from the referring Attorney and the OSPD Parent Defense Program Manager.

When requested by the attorney, the Parent Partner is expected to notify the client verbally and/or in writing that their case is being closed. At the time of the case closing, the Parent Partner notifies the referring Attorney that the parent partner involvement is closing and provides them with a brief written synopsis of case involvement and status at time of closing.

VI. Referral Process for Parent Partner and Initial Meeting with Client

- A. In the Coastal pilot counties, attorneys will identify clients who could benefit from a Parent Partner. After consulting the client, the attorney will send the referral form to the Parent Partner Coordinator at Be Better Now Mentoring with a copy to OSPD. The Parent Partner Coordinator will review the referral form and set up a time to talk with the family.
- B. The Lee County Family Defense Team will make referrals based upon a procedure agreed to by the Defense Team and OSPD.
- C. Once the Parent Partner receives the referral form, the Parent Partner will reach out by phone within 5 business days to schedule an initial in-person one-on-one meeting at the location of the client's choosing.
- D. At the initial meeting the Parent Partner may share court informational videos, complete an informal interview and begin building rapport with the client.

VII. Professional Relationships with other Child Welfare System Professionals

Parent Partners are expected to interact respectfully, professionally and to work collaboratively with a wide range of professionals to provide clients with the best opportunity of achieving the goals identified in their case plan. Upon initial contact with professionals, it is important for Parent Partners to clearly disclose their association as agents of the Parent Defense Team. Parent Partners are encouraged to establish positive working relationships with key professionals such as:

1. The Mississippi Department of Child Protection Services employees.
2. The client's Service Providers
3. The Court Appointed Special Advocate (CASA)
4. The Guardian ad Litem (GAL)

5. Court Administration
6. The Judge

It is helpful for Parent Partners to notify the professionals verbally of their case assignment within ten business days to prevent any confusion. With signed releases of information from the parent, the Parent Partner can communicate about the client's progress in the case plan, the parent's ability to access services, visitation issues, the parent's challenges and other information pertinent to the family's current and future success for safety, permanency and well-being. Unless otherwise specified by the Attorney, all case specific communications should be copied to the attorney.

VIII. Evaluation and Quality Assurance Procedures

Upon a client agreeing to participate in the Parent Partner Program, the client will complete the Family Self-Assessment (Entry) Form. This form is designed to get a feeling for where the family is so that the Parent Partner learns what issues may need to be addressed and to measure case success once the case is closed. (See Appendix Form Family Self-Assessment (Entry))

Upon a client exiting the program, the client will be asked to complete a Family Self-Assessment (Exit) form and the Parent Partner Program Parent Feedback Form (Exit). These forms will ensure that the client felt they got the support and assistance that was requested and to make any improvements to the program. (See Appendix Form Family Self-Assessment (Exit)& Parent Partner Program Parent Feedback Form (Exit).)

Also upon case closure, the Parent Partner should complete the Parent Partner Program Fidelity Checklist & Family Outcomes. This form should be completed by the Parent Partner along with the coordinator to see what improvements, if any, the Parent Partner can make or what training needs to be supplemented in the future.

Glossary of Terms

Active Efforts – required in ICWA cases. Means affirmative, active, thorough and timely efforts to maintain or reunite a child with his/her family.

Abused Child - means a child whose parent, guardian or custodian or any person responsible for his care or support, whether legally obligated to do so or not, has caused or allowed to be caused, upon the child, sexual abuse, sexual exploitation, commercial sexual exploitation, emotional abuse, mental injury, nonaccidental physical injury or other maltreatment. However, physical discipline, including spanking, performed on a child by a parent, guardian or custodian in a reasonable manner shall not be deemed abuse under this section. “Abused child” also means a child who is or has been trafficked within the meaning of the Mississippi Human Trafficking Act by any person, without regard to the relationship of the person to the child.

Adjudication Hearing – the hearing where the judge decides if there is enough evidence to conclude a child is abused or neglected

APPLA – Another Permanent Plan Living Arrangement – essentially means that CPS expects the child to age out of the system. The child must be at least 16 years old and CPS must document compelling reasons why this permanency goal is in the best interest of the child.

ASFA – Adoption and Safe Families Act of 1997

BBNM – Be Better Now Mentoring

Birth Parent – the biological mother and father of a child

CASA – a court appointed advocate for the best interest of the child

CAPTA – Child Abuse Prevention and Treatment Act

Child Abuse/Neglect Central Registry

Client - a parent or guardian with a case in youth court or on appeal from youth court involving an allegation of abuse or neglect or a petition to terminate parental rights in which the person is represented by a parent attorney.

Concurrent Plan – a backup permanency plan for the child in case the primary permanency plan fails

CPS - Mississippi Child Protection Services

Disability – a physical or mental impairment that substantially limits one or more major life activities

Disposition Hearing – the hearing where the judge set the goals and plans for the family. Permanency plans (or goals) can be reunification, custody with a relative, termination of parental rights and adoption, or APPLA.

Delinquent Act/Child (Delinquency) - a child who has reached his tenth birthday and who has committed a delinquent act. A “Delinquent act” is any act, which if committed by an adult, is designated as a crime under state or federal law, or municipal or county ordinance other than offenses punishable by life imprisonment or death..

DMH – Mississippi Department of Mental Health

Durable Legal Custody – legal status created by court order which gives the durable legal custodian the responsibilities of physical possession of the child and the duty to provide him with care, nurture, welfare, food, shelter, education, and reasonable medical care.

Family Service Plan (Case Plan) – a written document that is developed jointly with the parents of the child & CPS that is developed within 30 calendar days from the date of removal that includes a description of the services offered and provided to maintain or return the child to his/her home and what tasks and goals the family should achieve.

FCR – Foster Care Review – Administrative review conducted by CPS every 6 months.

Fictive Kin – a term used to refer to individuals who are unrelated by birth, marriage, or adoption but who have an emotionally significant relationship with another individual that would take on the characteristics of a family relationship. Examples include parent’s friends, neighbors or child’s teacher.

FTM – Family Team Meeting – A planned, structured, facilitated decision making process to which members of the family both formal/informal, are invited along with required CPS staff and any other support system identified by the family and CPS.

GAL – Guardian ad Litem – best interest advocate for the child

ICE – Immigration and Customs Enforcement

ICPC – Interstate Compact on the Placement of Children – a contractual agreement among states providing uniform rules and procedures for placing children in homes or facilities across state lines. CPS policy states that this applies to parents, however, Miss. Code Ann. §43-18-1, Article III states that no sending agency shall send, bring or cause to be sent or brought into any other party state any child for the *placement in foster care or as a preliminary to a possible adoption*. Many courts have held that the plain meaning of the statute does not apply to parents.

ICWA – Indian Child Welfare Act of 1978

IDT – Interdisciplinary Defense Team - a multidisciplinary team consisting of an attorney, a social worker, and a peer-mentor known as a Parent Partner.

Mandated Reporter – a person required by law to report any reasonable suspicion of child abuse or neglect.

MS Commission on Children’s Justice – an advisory group utilized to assist in the identification of areas needing improvement in the children’s justice arena, as well as making recommendations for improvement of those areas and the monitoring of the implications of the recommended reforms.

Neglect – a child (i) Whose parent, guardian or custodian or any person responsible for his care or support, neglects or refuses, when able so to do, to provide for him proper and necessary care or support, or education as required by law, or medical, surgical, or other care necessary for his well-being; however, a parent who withholds medical treatment from any child who in good faith is under treatment by spiritual means alone through prayer in accordance with the tenets and practices of a recognized church or religious denomination by a duly accredited practitioner thereof shall not, for that reason alone, be considered to be neglectful under any provision of this chapter; or
(ii) Who is otherwise without proper care, custody, supervision or support; or
(iii) Who, for any reason, lacks the special care made necessary for him by reason of his mental condition, whether the mental condition is having mental illness or having an intellectual disability; or
(iv) Who, for any reason, lacks the care necessary for his health, morals or well-being.

OSPD - Office of State Public Defender – a state agency established to develop plans and proposals for further development of a statewide public defender system, to administer existing state defender programs including programs to provide training for lawyers in youth court and direct representation to parents or guardians in abuse, neglect or termination of parental rights cases in youth court or on appeal from youth court.

Parent Attorney – an attorney with specialized training to represent parents in child welfare matters, sometimes called parent defender. The attorney’s practice substantially complies with the *Mississippi Certification Standards for Performance of Attorneys Representing Parents in Child Protection or Termination of Parental Rights Proceedings in Youth Court*.

Parent Defense Program (Program Manager) - operated by OSPD under the direction of Jennifer Morgan. Program handles limited direct representation of parents in child welfare matters in youth court and on appeal from youth court, facilitates training opportunities and offers technical assistance to parent defense providers. The program is charged with overall development of the parent defense delivery system through OSPD.

Parent Defense Social Work Advocate (Social Work Advocate) - a licensed social worker who works with the parent attorney for a client. The parent social worker performs responsibilities in substantial compliance with *Supplementary Certification Standards for Performance of Multidisciplinary Defense Teams Representing Parents in Child Protection or Termination of Parental Rights Proceedings in Youth Court*.

Parent Partner - a person with lived experience as a parent in the child welfare system who has been trained to serve as a peer-mentor on a parent defense team. They support a parent attorney and /or social worker by engaging parents, exploring service options to meet parents’ needs, and promoting a family-centered approach. They also provide the family “voice” by serving on workgroups, providing input for system decision-making, and co-facilitating trainings. Parent partners are known by different titles, such as family partner, parent advocate, parent mentor, parent navigator, and parent support partner.

Parent Partner Advisory Team – a team of people whose goal is to establish a parent partner program in at least 2 counties.

Parent Partner Coordinator – manages the daily operations of the program and supervises the parent partners. The parent partner coordinator will play a lead role in overseeing program implementation tasks and ongoing operations.

Parent Representation Task Force – a collaboration between several state entities and funding organizations to help bring subsidized representation to indigent parents facing child removal proceedings in court.

Permanency Hearing (review hearing) – a hearing to review progress towards the goal and permanency plan for the family.

Permanency Planning – Permanency Planning is ongoing and begins as soon as CPS receives a report of child abuse or neglect and it continues through every stage of service, even when the child is not removed from the home. It is a systematic process of carrying out a set of plans and goal-directed activities within a time-limited period. Permanency Planning MUST begin within 30 calendar days of the child entering foster care. Permanency Plan options include (in order of preference) – reunification with a parent or primary caretaker from whom the child was removed, custody with a relative, durable legal custody or legal guardianship, adoption, another permanent plan living arrangement.

Putative Father – an individual who is alleged to be the father of the child but has not been recognized legally as the child’s father.

Reasonable Efforts – services provided to a family to prevent or eliminate the need for removal of the child from his/her home, unless the removal is of an emergency nature, or services provided to reunify the child safely with his/her family after placement of the child into CPS custody.

Reunification – reuniting the removed child with a parent, legal guardian, or primary caretaker from whom the child was removed.

Substance Use Disorder – a mental disorder that affects a person's brain and behavior, leading to a person’s inability to control their use of substances such as legal or illegal drugs, alcohol, or medications.

APPENDIX

1. Parent Partner Role Description
2. Mandated Reporter Form
3. Parent Partner Program Job Application
4. Sample Interview Tool
5. Confidentiality Form
6. Informed Consent
7. Monthly Activity Tracking
8. Family Service Plan Tracking
9. Family Visitation Tracking
10. Parent Partner Referral Form
11. Family Self-Assessment (Entry)
12. Family Self-Assessment (Exit)
13. Fidelity Checklist & Family Outcomes
14. Feedback Form
15. MS Rules of Professional Conduct – Rule 1.6
16. MS Rules of Professional Conduct – Rule 1.7
17. MS Rules of Evidence – Rule 502
18. Miss. Code Ann. §43-21-261
19. MS Rules of Youth Court Practice – Rule 5
20. Rules and Regulations for Social Workers

Parent Partner Role Description

Parent Partners are parents (mothers and fathers) who have first-hand experience with the child welfare system, and who have exhibited exceptional qualities in their own efforts to develop viable permanency plans for their children, an understanding of how the child welfare system works, an appreciation of what it takes to be successful, and personal qualities that lend themselves to collaboration on various levels. The preferred Parent Partner candidate will possess a positive attitude, sincerity, and a willingness to help others. To be considered for this position, the Parent Partner's case must be closed, and he/she must be maintaining family stability.

The Parent Partner works closely with the parent involved with the child welfare system to help achieve reunification as quickly as possible by:

- Providing parents with practical support and information – including up to date information on available community resources
- Working closely with the defense team social worker and attorney as a component of the parent client's legal defense team
- Attending hearings in Youth Court
- Advocating for the parent at various meetings with key stakeholders
- Maintaining adequate records and data for each case
- Assisting the parent in accessing and maintaining enrollment in court-ordered services
- Providing non-judgmental support for parents as they deal with the toll of removal and the stress of the child welfare system
- Setting an example of resiliency and recovery
- Assisting parents to be more open-minded and engaged in the process of working with professionals in the system.
- Assisting in accessing resources and social services coordination.
- Advocating for parents and guardians out of court to further their case
- Developing and providing resources to support positive interactions between the parent and children.
- Building supports around transportation.
- Attending out-of-court meetings at which advocacy is necessary, such as Family Team Meetings (FTM)s and service plan meetings.
- Facilitating effective communications
- Assisting with data collection and reporting, including entering data in electronic case files.
- Communicating with defense team members via text messages, emails, and phone calls.

Skills and Qualities

- Candidates have demonstrated personal qualities that promote collaboration and partnerships with the child welfare system such as integrity, good listening skills, ability to empathize, and a positive attitude.
- Candidates are comfortable in sharing their own child welfare experience but have insight to share it only when it can help the other parent.
- Candidates have demonstrated commitment to the safety and well-being of children and are willing to embrace the mission of the agency.
- Candidates understand the requirements of a mandated reporter of child abuse and neglect.

Qualifications

- Candidates have a healthy and stable family situation with no current child welfare involvement for safety issues.
- Candidates' have previously experienced involvement with the child welfare agency and it has ended at least one year ago, so that they
 - ☐ Have been reunited with their children for at least one year, OR
 - ☐ Have had at least one year to resolve issues related to termination of parental rights or have achieved some other family arrangement of their choosing
- There is clear evidence that issues resulting from an out-of-home placement or termination of parental rights have been resolved and that the parent is in a place where he or she can provide effective peer support to others.
- Candidates who were noncustodial parents have had experience related to working with the child welfare system and are able to assist other noncustodial parents.
- Candidates whose cases involved substance disorders have been substance free for at least 1 year; some programs require 18 or 24 months of sustained sobriety.
- Candidates are available to engage and routinely meet parents assigned to them for peer support.
- Candidates are able to attend regular team meetings and co-facilitate groups either by zoom or in-person
- Some high school education. Diploma or GED preferred
- A valid driver's license is preferred.

MANDATED REPORTER FORM

TO BE COMPLETED AFTER A REPORT HAS BEEN MADE TO THE MDCPS HOTLINE/WEBSITE

NAME OF REPORTER: _____

DATE OF REPORT: _____ TIME OF REPORT: _____

DATE OF INCIDENT: _____ TIME OF INCIDENT: _____

CHILD VICTIM'S NAME: _____

CHILD VICTIM'S DOB: _____

CHILD VICTIM'S ADDRESS OR LOCATION OF INCIDENT:

ALLEGED PERPETRATOR: _____

ALLEGED MALTREATMENT:

PARENT PARTNER PROGRAM APPLICATION FORM

The role of a Parent Partner is to give hope to the Parents and families you will serve and to work closely with that Parent's Defense Team so that the family can achieve reunification as soon as possible. You will be trained as a Parent Partner but your lived experience is most valuable to be able to successfully guide Parents to a place of reunification with their families.

Because of the qualifications necessary for a Parent Partner, failure to answer the following questions may affect consideration given to your application. Having a criminal record or being on the child abuse/neglect registry may not disqualify you from consideration.

Name: _____

Address: _____

Home Phone: _____ Cell Phone: _____

Email: _____

Gender: _____ DOB: _____ Race: _____

Counties You Would Like to Work In: _____

What skills have you developed because of any of the jobs or volunteer jobs in the last few years?

One of the main objectives of this role is to be able to share your story. How do you feel about sharing that story?

Please tell us when and why were you involved in the child welfare system?

During your involvement with CPS and Youth Court, do you feel like you were treated fairly or did those feelings change over the course of your involvement?

Yes No Please explain:

Why do you want to become a Parent Partner?

What other skills and expertise will you bring to the Parent Partner Program?

If you have experienced substance use disorder, your recovery story can help those parents who are in a substance abuse crisis. Sharing these testimonials is a proof of your resilience and helps us better understand how to shape you in this position. Are you able and willing to share your recovery story and hopes of helping someone else recover?

Are you involved in recovery from alcohol and/or other drug abuse? ☐Yes ☐No

Are you currently participating in a 12-step or other recovery group? ☐Yes ☐No

Please list 3 references:

(1) Name _____
Phone _____ Email _____
Relationship _____

(2) Name _____
Phone _____ Email _____
Relationship _____

(3) Name _____
Phone _____ Email _____
Relationship _____

In order to promote the integrity of the program, ensure confidentiality is maintained, and protect the safety of program staff and those families you will be in contact with, we will conduct a background check, including criminal and child maltreatment records checks. Are you willing to allow us to conduct this background check on you? ☐Yes ☐No

I submit the statements on this application are true, complete and correct to the best of my knowledge. I understand that falsification on this application can disqualify me from consideration or can result in dismissal at a later time.

Signature: _____ Date: _____

Sample Interview Tool

Explore Candidate's Experience with Child Welfare and Current Stability

- Please describe your current family situation and any current child welfare involvement issues.
- Please describe how you became involved with the child welfare agency and your experiences during the time you were involved.
- Please describe how your involvement with the child welfare agency ended and your current resolution of any issues related to your child welfare involvement.
- Please describe how you think sharing information about your involvement with the child welfare agency can be helpful to other parents currently involved in the system.
- If you were a non-custodial parent, what experience have you had related to working with the child welfare system and how are you able to assist other noncustodial parents?
- If your experience involved substance disorders, how long have you been in a place of sustained sobriety?

Candidate's Availability and Commitment

- Can you commit to successfully completing the required tasks and accomplishing the goals of this position? Do you anticipate any challenges? If so, how might the agency help you with those challenges?
- Please describe how you would engage and routinely meet parents assigned to you for peer support.
- Are you able to attend regular team meetings and co-facilitate groups?

Candidate's Skills and Qualities

- Please describe what personal qualities you possess that help you promote collaboration and partnerships with the child welfare system?
- Please describe your level of comfort in sharing your own child welfare experience and how you will determine when it will be helpful for the other parent to hear about your experience?
- Please describe times when you have demonstrated your commitment to the safety and well-being of children and how that helps you embrace the mission of the program.
- Please describe your understanding of the requirements of a mandated reporter of child abuse and neglect.
- What motivates you to become a Parent Partner?
- What strengths do you bring to this program?
- Please describe how you would work with a multidisciplinary team.

CONFIDENTIALITY OF RECORDS INVOLVING CHILDREN

Records involving children are confidential and may not be disclosed except as authorized by the Mississippi Youth Court Act. *See*, Rule 5, Confidentiality of Records and Proceedings, Uniform Rules of Youth Court Practice. Records involving children are defined, under Section 43-21-105 of the Mississippi Code, and include: all youth court records as defined in Section 43-21-251; all social records, as defined in Section 43-21-253; all law enforcement records as defined in section 43-21-255; all agency records as defined in Section 43-21-257; and all other documents maintained by any representative of the state, county, municipality or other public agency insofar as they relate to the apprehension, custody, adjudication or disposition of a child who is the subject of a youth court cause.

AUTHORIZED DISCLOSURE OF RECORDS INVOLVING CHILDREN

The disclosure of records involving children is governed by Section 43-21-261 of the Mississippi Code which provides disclosure to the necessary staff of the youth court. Additionally, the youth court may disclose records involving children to other persons and agencies, as set forth in Section 43-21-261, so long as that court finds that the disclosure is in the best interests of the child, the public safety or the functioning of the youth court and that the court order authorizing disclosure specifies the person or persons to whom the records may be disclosed, the extent of the records which may be disclosed and the purpose of the disclosure. Such other persons and agencies which are authorized for disclosure of records involving children include: the judge of another youth court; members of another youth court staff; representatives of a public or private agency providing supervision or having custody of the child under order of the youth court; persons where disclosure has been determined to be in the best interests of the child, after a showing to the youth court of compelling circumstances affecting the health or safety of the child; and, such other persons as identified in Section 43-21-261 (l)(a) through (l) (g).

PENALTY FOR UNAUTHORIZED DISCLOSURE OF RECORDS INVOLVING CHILDREN

Section 43-21-267 of the Mississippi Code provides that any person who shall disclose or encourage the disclosure of any records involving children or the contents thereof without the proper authorization, as specified under Section 43-21-261, shall be guilty of a misdemeanor crime and punished, upon conviction, by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment in the county jail of not more than one (1) year or by both such fine and imprisonment.

CONFIDENTIALITY OATH

I, _____, solemnly swear or avow that I will not divulge, either by words, signs or deeds any confidential information which comes to my knowledge as a consequence of my involvement as a member of the Parent Representation Defense Team, other than as specifically permitted by the Youth Court and that I will keep secret all confidential information including the identity of any child, family or persons revealed to me through my employment as a Parent Partner and any information so acquired by me shall only be disclosed as necessary to accomplish the duties required by my employment, and then only to such persons as authorized by said Youth Court.

I am aware that all information concerning children, their youth court cases and/or families must be held confidential and may not be disclosed as provided by law under §43-21-261 Miss. Code and pursuant to Lawyer-Client Privilege. I am aware that should I disclose any confidential information other than as proscribed herein that I will be subject to the criminal penalties enumerated in Section 43-21-267 Mississippi Code 1972 Annotated.

DATE: _____

SIGNATURE: _____

NAME OF WITNESS: _____

SIGNATURE OF WITNESS: _____

CLIENT'S INFORMED CONSENT

AND GENERAL AUTHORIZATION FOR RELEASE OF INFORMATION

I, _____, hereby authorize _____, as a Parent Partner member of my interdisciplinary representation team, to release information for the purpose of legal representation, case management and family/individual support.

Furthermore, I, _____, authorize my Parent Partner and my interdisciplinary representation team to obtain any information regarding me, any child of mine, or for any person whom I am responsible for their care, custody and control. All records obtained by the Parent Partner shall remain confidential as part of the attorney/client relationship. I understand that I may withdraw this permission at any such time as I no longer request the assistance of the Parent Partner.

Your signature below indicates that you have read, understand, and agree to the terms set forth in this document.

Client Signature

DATE _____

Parent Partner

DATE _____

FAMILY SERVICE PLAN GOALS AND TASKS FOR _____

	GOAL/TASK	DATE ADDED TO FSP	DATE COMPLETED	DATE PROOF TO ATTY
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

[illegible]

PARENT PARTNER PROGRAM REFERRAL FORM

Referral Date: _____ County of Referral: _____

Person Referring & Contact Info: _____

Other Parties (& Attorney): _____

Next Court Hearing or Meeting: _____

PARTICIPANT INFORMATION

Referred Parent Name: _____

Relationship to Child(ren): _____

MYCIDS No.: _____ Cause No.: _____

Primary Phone Number: _____ Alt. Phone: _____

Current Address: _____

Email Address: _____

Anticipated Barriers: _____

Child's Name	DOB

INTAKE INFORMATION

Attempts to Contact Parent:

Date	Type (phone, email, text, in person)	Comments

Results of Referral: ☐ Client Accepted ☐ Client Declined Support ☐ Client not appropriate for support

Parent Partner Assigned: _____ Date: _____

Additional Information:

FAMILY SELF-ASSESSMENT (ENTRY)

This form is to be completed by the family with the support of a Parent Partner upon entry into the program.

- Ask the family member to use the scale at the top of the table to assess their current level for each item.
- Mark the number that corresponds to the family member's current self-assessment for each scale item in the far right column.

Family Member:

ID#:

Parent Partner:

Date:

Using the scale below, mark the number in the far right column to indicate the family member's assessment on each item.

	Never (1)	Rarely (2)	Sometimes (3)	Often (4)	Always (5)
1.	I am able to find the community resources I need to keep my children safe.				
2.	I am able to complete the steps necessary to get the community resources I need.				
3.	I am able to effectively manage my situation to keep my child(ren) safe when times are stressful.				
4.	I am able to make the appropriate decisions for myself and family.				
5.	I have others who will listen when I need to talk about my problems.				
6.	I have others who will support positive choices and changes I make.				
7.	I talk reasonably and honestly with others about my situation and problems.				
8.	If there is a crisis in my life, I have someone I can talk to.				
9.	I am able to effectively speak up for myself and my family to DHS and other service providers.				
10.	I am able to listen to DHS and other service providers and understand their concerns with my situation.				
11.	I feel comfortable when talking with my DHS worker or other service providers.				

Using the scale below, please mark what best describes your CURRENT relationship with your CPS worker

☐ Very Negative
 ☐ Negative
 ☐ Neutral
 ☐ Positive
 ☐ Very Positive

Please use the space below to provide any additional comments regarding any of the statements above.

FAMILY SELF-ASSESSMENT (EXIT)

This form is to be completed by the family with the support of a parent partner upon exit from the program. There are two ratings to be completed.

- First, ask the family member to “think back to when they first began the Parent Partner Program” and assess their level when they first started. Mark the number that corresponds to the family member’s **RETROSPECTIVE** self-assessment for each scale item in the left column.
- Then ask the family member to assess their current level. Mark the number that corresponds to the family member’s **EXIT** self-assessment for each scale item in the right column.

Family Member: _____ ID#: _____

Parent Partner: _____ Date: _____

Using the scale below, mark the number in the far right column to indicate the family member’s assessment on each item.

	Never (1)	Rarely (2)	Sometimes (3)	Often (4)	Always (5)
Retrospective Assessment					Exit Assessment
	1.	I am able to find the community resources I need to keep my children safe.			
	2.	I am able to complete the steps necessary to get the community resources I need.			
	3.	I am able to effectively manage my situation to keep my child(ren) safe when times are stressful.			
	4.	I am able to make the appropriate decisions for myself and family.			
	5.	I have others who will listen when I need to talk about my problems.			
	6.	I have others who will support positive choices and changes I make.			
	7.	I talk reasonably and honestly with others about my situation and problems.			
	8.	If there is a crisis in my life, I have someone I can talk to.			
	9.	I am able to effectively speak up for myself and my family to DHS and other service providers.			
	10.	I am able to listen to DHS and other service providers and understand their concerns with my situation.			
	11.	I feel comfortable when talking with my DHS worker or other service providers.			

Using the scale below, please mark the box that best describes your current relationship with your CPS worker.

☐ Very Negative
 ☐ Negative
 ☐ Neutral
 ☐ Positive
 ☐ Very Positive

Please use the space below to provide any additional comments regarding any of the statements above.

PARENT PARTNER PROGRAM FIDELITY CHECKLIST & FAMILY OUTCOMES

This form is to be completed by the Parent Partner with the Coordinator or Parent Partner upon a parent exiting from the program. Consider using parent's file and database records as a reference when completing this form. There are TWO sections to this checklist; be sure to complete both.

Family Member:	ID#:
Parent Partner:	Date:

Using the scale below, mark the appropriate box to indicate your response for each item..

	Never	Rarely	Sometimes	Often	Always	My parent declined or did not participate (N/A)
--	-------	--------	-----------	-------	--------	---

The Parent Partner...

1.	Encouraged the parent to fulfill their case plan activities						
2.	Had regular face to face visits with the parent						
3.	Had other (email, phone, web) communication and contact with the parent						
4.	Advocated for parent for needed resources						
5.	Encouraged the parent						
6.	Connected the parent with community resources						
7.	Helped the parent connect with the community						
8.	Coached the parent on communication strategies						
9.	Supported the parent at FTM, court, treatment, other gatherings						
10.	Coached the parent on what to expect throughout the process						

Please provide additional comments regarding the parents performance on these activities throughout the parent partner program. If you rated any of the above statements as "Always" or "Rarely" or "Never," please explain why.

Using the scale below, mark the appropriate box to indicate your response for each item.

Significant Improvement Some Improvement Remained the Same Decreased Don't Know

Please rate the parent's IMPROVEMENT on their...

1.	Relationships with people who are able to connect them with resources					
2.	Relationships with people who support their positive change(s)					
3.	Level of communication with their DHS worker					
4.	Level of communication with attorney(s)					
5.	Ability to advocate appropriately for themselves and their family					
6.	Knowledge of what needs to be done for custody of their children					
7.	Ability to get to appointments on time					
8.	Ability to find community resources for their family					
9.	Knowledge of who to contact with needs or concerns regarding their case					
10.	Level of personal responsibility and accountability for their actions					
11.	Willingness to make changes					

If you rated any of the above statements as "Significant Improvement" or "Remained the Same" or "Decreased," please explain why below. Note that "Remained the Same" could mean that no change was needed, or the indicator was satisfactory to begin with.

PARENT PARTNER PROGRAM PARENT FEEDBACK FORM (EXIT)

This form is to be completed by the parent upon exit from the Parent Partner program. The parent should evaluate the quality of the statements from his or her perspective. The completed form should be returned to the Coordinator

Family Member:

ID#:

Parent Partner:

Date:

Using the scale below, mark the appropriate box to indicate your response for each item..

		Never	Rarely	Sometimes	Often	Always	Declined or did not participate (N/A)
The Parent Partner...							
1.	Encouraged me to complete my case plan activities						
2.	Had regular face-to-face visits with me						
3.	Had other (email, phone, web) communication and contact with me						
4.	Advocated for needed resources						
5.	Encouraged me						
6.	Connected me with community resources						
7.	Helped me connect with the community						
8.	Coached me on communication strategies						
9.	Supported me at FTM, court, treatment, other gatherings						
10.	Coached me on what to expect throughout the process						

Please provide additional comments regarding the parent partner's performance on these activities throughout the parent partner program. If you rated any of the above statements as "Always" or "Rarely" or "Never," please explain why.

West's Annotated Mississippi Code
Mississippi Rules of Court State
Mississippi Rules of Professional Conduct
Client-Lawyer Relationship

Rules of Prof.Conduct, Rule 1.6

Rule 1.6. Confidentiality of Information

Currentness

(a) A lawyer shall not reveal information relating to the representation of a client unless the client gives informed consent, the disclosure is impliedly authorized in order to carry out the representation, or the disclosure is permitted by paragraph (b).

(b) A lawyer may reveal such information to the extent the lawyer reasonably believes necessary:

(1) to prevent reasonably certain death or substantial bodily harm;

(2) to prevent the client from committing a crime or fraud that is reasonably certain to result in substantial injury to the financial interest or property of another and in furtherance of which the client has used or is using the lawyer's services;

(3) to prevent, mitigate or rectify substantial injury to the financial interests or property of another that is reasonably certain to result or has resulted from the client's commission of a crime or fraud in furtherance of which the client has used the lawyer's services;

(4) to secure legal advice about the lawyer's compliance with these rules;

(5) to establish a claim or defense on behalf of the lawyer in a controversy between the lawyer and the client, to establish a defense to a criminal charge or civil claim against the lawyer based upon conduct in which the client was involved, or to respond to allegations in any proceeding concerning the lawyer's representation of the client.

(6) to comply with other law or a court order.

(c) A lawyer who participates in an intervention on a lawyer, judge or law student by the Lawyers and Judges Assistance Committee shall not reveal any information learned through the intervention from or relating to the lawyer, judge or law student on whom the intervention is conducted except as may be permitted by the Rules of Discipline of the Mississippi Bar or required by law or court order.

(d) A lawyer shall reveal information to the Lawyers and Judges Assistance Committee in accordance with approved monitoring procedures of the Lawyers and Judges Assistance Committee relating to the status of compliance of a lawyer, judge or law

student with the terms and conditions imposed upon the lawyer, judge or law student by the Lawyers and Judges Assistance Committee.

(e) A lawyer may reveal such information to the extent required by law or court order.

Credits

[Amended June 23, 1994; amended April 18, 2002; amended effective November 3, 2005 to add circumstances under which disclosure of otherwise confidential information is permitted.]

Rules of Prof. Conduct, Rule 1.6, MS R RPC Rule 1.6

Current with amendments received through April 1, 2022. Some rules may be more current, see credits for details.

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West's Annotated Mississippi Code
Mississippi Rules of Court State
Mississippi Rules of Professional Conduct
Client-Lawyer Relationship

Rules of Prof.Conduct, Rule 1.7

Rule 1.7. Conflict of Interest: General Rule

Currentness

(a) A lawyer shall not represent a client if the representation of that client will be directly adverse to another client, unless the lawyer reasonably believes:

(1) the representation will not adversely affect the relationship with the other client; and

(2) each client has given knowing and informed consent after consultation. The consultation shall include explanation of the implications of the adverse representation and the advantages and risks involved.

(b) A lawyer shall not represent a client if the representation of that client may be materially limited by the lawyer's responsibilities to another client or to a third person, or by the lawyer's own interests, unless the lawyer reasonably believes:

(1) the representation will not be adversely affected; and

(2) the client has given knowing and informed consent after consultation. The consultation shall include explanation of the implications of the representation and the advantages and risks involved.

Rules of Prof. Conduct, Rule 1.7, MS R RPC Rule 1.7

Current with amendments received through April 1, 2022. Some rules may be more current, see credits for details.

West's Annotated Mississippi Code
Mississippi Rules of Court State
Mississippi Rules of Evidence
Article V. Privileges

M.R.E. Rule 502

Rule 502. Lawyer-Client Privilege

Effective: July 1, 2020

[Currentness](#)

(a) Definitions. In this rule:

(1) “Client” means a person, public officer, corporation, association, or any other public or private organization or entity:

(A) to whom a lawyer renders professional legal services; or

(B) who consults a lawyer with a view to obtaining professional legal services from the lawyer.

(2) “Client’s representative” means:

(A) one authorized to:

(i) obtain professional legal services on behalf of the client; or

(ii) act on behalf of the client on the legal advice rendered; or

(B) an employee of the client with information the lawyer needs to render legal services to the client.

(3) “Lawyer” means a person authorized--or who the client reasonably believes is authorized--to practice law in any state or nation.

(4) “Lawyer’s representative” means one employed by the lawyer to assist the lawyer in rendering professional legal services.

(5) A communication is “confidential” if not intended to be disclosed to third persons other than those:

(A) to whom disclosure is made to further rendition of professional legal services to the client; or

(B) reasonably necessary to transmit the communication.

(6) “Lawyer-client privilege” means the protection that applicable law provides for confidential lawyer-client communications.

(7) “Work-product protection” means the protection that applicable law provides for tangible material (or its intangible equivalent) prepared in anticipation of litigation or for trial.

(b) General Rule of Privilege. A client has a privilege to refuse to disclose--and to prevent others from disclosing--any confidential communication made to facilitate professional legal services to the client:

(1) between the client or the client's representative and the client's lawyer or the lawyer's representative;

(2) between the client's lawyer and the lawyer's representative;

(3) by the client, the client's representative, the client's lawyer, or the lawyer's representative to another lawyer or that lawyer's representative, if:

(A) the other lawyer represents another party in a pending case; and

(B) the communication concerns a matter of common interest;

(4) between the client's representatives or between the client and a client representative; or

(5) among lawyers and their representatives representing the same client.

(c) Who May Claim the Privilege.

(1) The privilege may be claimed by:

(A) the client;

(B) the client's guardian or conservator;

(C) a deceased client's personal representative; or

(D) the successor, trustee, or similar representative of a corporate, associational, or other organizational client, whether in existence or not.

(2) The client's lawyer or the lawyer's representative at the time of the communication is presumed to have authority to claim the privilege, but only on the client's behalf.

(d) **Exceptions.** The privilege does not apply if:

(1) *Furtherance of Crime or Fraud.* The lawyer's services were sought or obtained to enable or aid anyone to plan or commit what the client knew--or reasonably should have known--was a crime or fraud;

(2) *Claimants Through Same Deceased Client.* The communication is relevant to an issue between parties who claim--by testate or intestate succession or by *inter vivos* transaction--through the same deceased client;

(3) *Breach of Duty.* The communication is relevant to an issue of breach of duty by the lawyer to the client or by the client to the lawyer;

(4) *Document Attested by Lawyer.* The communication is relevant to an issue about an attested document to which the lawyer is an attesting witness; or

(5) *Joint Clients.* The communication:

(A) is offered in a case between or among clients who retained or consulted a lawyer in common;

(B) was made by any of the clients to the lawyer; and

(C) is relevant to a matter of common interest between two or more clients.

(e) **Limitations on Waiver.** The following provisions apply, in the circumstances set out, to disclosure of a communication or information covered by the lawyer-client privilege or work-product protection.

(1) *Disclosure Made in a Mississippi Proceeding; Scope of a Waiver.* When the disclosure is made in a Mississippi proceeding and waives the lawyer-client privilege or work-product protection, the waiver extends to an undisclosed communication or information in a Mississippi proceeding only if:

(A) the waiver is intentional;

(B) the disclosed and undisclosed communications or information concern the same subject matter; and

(C) they ought in fairness to be considered together.

(2) *Inadvertent Disclosure*. When made in a Mississippi proceeding, the disclosure does not operate as a waiver in a Mississippi proceeding if:

(A) the disclosure is inadvertent;

(B) the holder of the privilege or protection took reasonable steps to prevent disclosure; and

(C) the holder promptly took reasonable steps to rectify the error, including (if applicable) following [MRCP 26\(b\)\(6\)\(B\)](#)

Credits

[Amended eff. July 1, 2016; July 1, 2020.]

Rules of Evid., Rule 502, MS R REV Rule 502

Current with amendments received through April 1, 2022. Some rules may be more current, see credits for details.

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West's Annotated Mississippi Code
Title 43. Public Welfare
Chapter 21. Youth Court (Refs & Annos)
Records

Miss. Code Ann. § 43-21-261

§ 43-21-261. Disclosure of records in general

Effective: July 1, 2019

[Currentness](#)

(1) Except as otherwise provided in this section, records involving children shall not be disclosed, other than to necessary staff or officials of the youth court, a guardian ad litem appointed to a child by the court, or a Court-Appointed Special Advocate (CASA) volunteer who may be assigned in an abuse and neglect case, except pursuant to an order of the youth court specifying the person or persons to whom the records may be disclosed, the extent of the records which may be disclosed and the purpose of the disclosure. Such court orders for disclosure shall be limited to those instances in which the youth court concludes, in its discretion, that disclosure is required for the best interests of the child, the public safety, the functioning of the youth court, or to identify a person who knowingly made a false allegation of child abuse or neglect, and then only to the following persons:

- (a) The judge of another youth court or member of another youth court staff;
- (b) The court of the parties in a child custody or adoption cause in another court;
- (c) A judge of any other court or members of another court staff, including the chancery court that ordered a forensic interview;
- (d) Representatives of a public or private agency providing supervision or having custody of the child under order of the youth court;
- (e) Any person engaged in a bona fide research purpose, provided that no information identifying the subject of the records shall be made available to the researcher unless it is absolutely essential to the research purpose and the judge gives prior written approval, and the child, through his or her representative, gives permission to release the information;
- (f) The Mississippi Department of Employment Security, or its duly authorized representatives, for the purpose of a child's enrollment into the Job Corps Training Program as authorized by Title IV of the Comprehensive Employment Training Act of 1973 ([29 USCS Section 923 et seq.](#)). However, no records, reports, investigations or information derived therefrom pertaining to child abuse or neglect shall be disclosed;
- (g) Any person pursuant to a finding by a judge of the youth court of compelling circumstances affecting the health, safety or well-being of a child and that such disclosure is in the best interests of the child or an adult who was formerly the subject of a youth court delinquency proceeding;

(h) A person who was the subject of a knowingly made false allegation of child abuse or neglect which has resulted in a conviction of a perpetrator in accordance with [Section 97-35-47](#) or which allegation was referred by the Department of Child Protection Services to a prosecutor or law enforcement official in accordance with the provisions of [Section 43-21-353\(4\)](#).

Law enforcement agencies may disclose information to the public concerning the taking of a child into custody for the commission of a delinquent act without the necessity of an order from the youth court. The information released shall not identify the child or his address unless the information involves a child convicted as an adult.

(2) Any records involving children which are disclosed under an order of the youth court or pursuant to the terms of this section and the contents thereof shall be kept confidential by the person or agency to whom the record is disclosed unless otherwise provided in the order. Any further disclosure of any records involving children shall be made only under an order of the youth court as provided in this section.

(3) Upon request, the parent, guardian or custodian of the child who is the subject of a youth court cause or any attorney for such parent, guardian or custodian, shall have the right to inspect any record, report or investigation relevant to a matter to be heard by a youth court, except that the identity of the reporter shall not be released, nor the name of any other person where the person or agency making the information available finds that disclosure of the information would be likely to endanger the life or safety of such person. The attorney for the parent, guardian or custodian of the child, upon request, shall be provided a copy of any record, report or investigation relevant to a matter to be heard by a youth court, but the identity of the reporter must be redacted and the name of any other person must also be redacted if the person or agency making the information available finds that disclosure of the information would be likely to endanger the life, safety or well-being of the person. A record provided to the attorney under this section must remain in the attorney's control and the attorney may not provide copies or access to another person or entity without prior consent of a court with appropriate jurisdiction.

(4) Upon request, the child who is the subject of a youth court cause shall have the right to have his counsel inspect and copy any record, report or investigation which is filed with the youth court or which is to be considered by the youth court at a hearing.

(5)(a) The youth court prosecutor or prosecutors, the county attorney, the district attorney, the youth court defender or defenders, or any attorney representing a child shall have the right to inspect and copy any law enforcement record involving children.

(b) The Department of Child Protection Services shall disclose to a county prosecuting attorney or district attorney any and all records resulting from an investigation into suspected child abuse or neglect when the case has been referred by the Department of Child Protection Services to the county prosecuting attorney or district attorney for criminal prosecution.

(c) Agency records made confidential under the provisions of this section may be disclosed to a court of competent jurisdiction.

(d) Records involving children shall be disclosed to the Division of Victim Compensation of the Office of the Attorney General upon the division's request without order of the youth court for purposes of determination of eligibility for victim compensation benefits.

(6) Information concerning an investigation into a report of child abuse or child neglect may be disclosed by the Department of Child Protection Services without order of the youth court to any attorney, physician, dentist, intern, resident, nurse,

psychologist, social worker, family protection worker, family protection specialist, child caregiver, minister, law enforcement officer, or a public or private school employee making that report pursuant to [Section 43-21-353\(1\)](#) if the reporter has a continuing professional relationship with the child and a need for such information in order to protect or treat the child.

(7) Information concerning an investigation into a report of child abuse or child neglect may be disclosed without further order of the youth court to any interagency child abuse task force established in any county or municipality by order of the youth court of that county or municipality.

(8) Names and addresses of juveniles twice adjudicated as delinquent for an act which would be a felony if committed by an adult or for the unlawful possession of a firearm shall not be held confidential and shall be made available to the public.

(9) Names and addresses of juveniles adjudicated as delinquent for murder, manslaughter, burglary, arson, armed robbery, aggravated assault, any sex offense as defined in [Section 45-33-23](#), for any violation of [Section 41-29-139\(a\)\(1\)](#) or for any violation of [Section 63-11-30](#), shall not be held confidential and shall be made available to the public.

(10) The judges of the circuit and county courts, and presentence investigators for the circuit courts, as provided in [Section 47-7-9](#), shall have the right to inspect any youth court records of a person convicted of a crime for sentencing purposes only.

(11) The victim of an offense committed by a child who is the subject of a youth court cause shall have the right to be informed of the child's disposition by the youth court.

(12) A classification hearing officer of the State Department of Corrections, as provided in [Section 47-5-103](#), shall have the right to inspect any youth court records, excluding abuse and neglect records, of any offender in the custody of the department who as a child or minor was a juvenile offender or was the subject of a youth court cause of action, and the State Parole Board, as provided in [Section 47-7-17](#), shall have the right to inspect such records when the offender becomes eligible for parole.

(13) The youth court shall notify the Department of Public Safety of the name, and any other identifying information such department may require, of any child who is adjudicated delinquent as a result of a violation of the Uniform Controlled Substances Law.

(14) The Administrative Office of Courts shall have the right to inspect any youth court records in order that the number of youthful offenders, abused, neglected, truant and dependent children, as well as children in need of special care and children in need of supervision, may be tracked with specificity through the youth court and adult justice system, and to utilize tracking forms for such purpose.

(15) Upon a request by a youth court, the Administrative Office of Courts shall disclose all information at its disposal concerning any previous youth court intakes alleging that a child was a delinquent child, child in need of supervision, child in need of special care, truant child, abused child or neglected child, as well as any previous youth court adjudications for the same and all dispositional information concerning a child who at the time of such request comes under the jurisdiction of the youth court making such request.

(16) The Administrative Office of Courts may, in its discretion, disclose to the Department of Public Safety any or all of the information involving children contained in the office's youth court data management system known as Mississippi Youth Court Information Delivery System or "MYCIDS."

(17) The youth courts of the state shall disclose to the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) any youth court records in order that the number of youthful offenders, abused, neglected, truant and dependent children, as well as children in need of special care and children in need of supervision, may be tracked with specificity through the youth court and adult justice system, and to utilize tracking forms for such purpose. The disclosure prescribed in this subsection shall not require a court order and shall be made in sortable, electronic format where possible. The PEER Committee may seek the assistance of the Administrative Office of Courts in seeking this information. The PEER Committee shall not disclose the identities of any youth who have been adjudicated in the youth courts of the state and shall only use the disclosed information for the purpose of monitoring the effectiveness and efficiency of programs established to assist adjudicated youth, and to ascertain the incidence of adjudicated youth who become adult offenders.

(18) In every case where an abuse or neglect allegation has been made, the confidentiality provisions of this section shall not apply to prohibit access to a child's records by any state regulatory agency, any state or local prosecutorial agency or law enforcement agency; however, no identifying information concerning the child in question may be released to the public by such agency except as otherwise provided herein.

(19) In every case of child abuse or neglect, if a child's physical condition is medically labeled as medically "serious" or "critical" or a child dies, the confidentiality provisions of this section shall not apply. In such cases, the following information may be released by the Mississippi Department of Child Protection Services: the cause of the circumstances regarding the fatality or medically serious or critical physical condition; the age and gender of the child; information describing any previous reports of child abuse or neglect investigations that are pertinent to the child abuse or neglect that led to the fatality or medically serious or critical physical condition; the result of any such investigations; and the services provided by and actions of the state on behalf of the child that are pertinent to the child abuse or neglect that led to the fatality or medically serious or critical physical condition.

(20) Any member of a foster care review board designated by the Department of Child Protection Services shall have the right to inspect youth court records relating to the abuse, neglect or child in need of supervision cases assigned to such member for review.

(21) Information concerning an investigation into a report of child abuse or child neglect may be disclosed without further order of the youth court in any administrative or due process hearing held, pursuant to [Section 43-21-257](#), by the Department of Child Protection Services for individuals whose names will be placed on the central registry as substantiated perpetrators.

(22) The Department of Child Protection Services may disclose records involving children to the following:

(a) A foster home, residential child-caring agency or child-placing agency to the extent necessary to provide such care and services to a child;

(b) An individual, agency or organization that provides services to a child or the child's family in furtherance of the child's permanency plan to the extent necessary in providing those services;

- (c) Health and mental health care providers of a child to the extent necessary for the provider to properly treat and care for the child;
- (d) An educational institution or educational services provider where the child is enrolled or where enrollment is anticipated to the extent necessary for the school to provide appropriate services to the child; and
- (e) Any other state agency if the disclosure is necessary to the department in fulfilling its statutory responsibilities in protecting the best interests of the child.

Credits

Laws 1979, Ch. 506, § 28; Laws 1980, Ch. 550, § 4; Laws 1986, Ch. 422, § 1; Laws 1988, Ch. 459, § 1; Laws 1989, Ch. 433, § 1; Laws 1991, Ch. 468, § 6; Laws 1994, Ch. 591, § 2; Laws 1994, Ch. 595, § 5; Laws 1995, Ch. 547, § 3; Laws 1997, Ch. 440, § 8; Laws 1998, Ch. 447, § 1; Laws 1998, Ch. 516, § 19, eff. July 1, 1998; Laws 2000, Ch. 436, § 2, eff. July 1, 2000; Laws 2000, Ch. 499, § 23, eff. July 1, 2000; Laws 2001, Ch. 360, § 1, eff. July 1, 2001; Laws 2001, Ch. 393, § 12, eff. July 1, 2001; Laws 2004, Ch. 489, § 2, eff. July 1, 2004; Laws 2006, Ch. 600, § 3, eff. July 1, 2006; Laws 2007, Ch. 478, § 1, eff. July 1, 2007; Laws 2007, Ch. 587, § 11, eff. July 1, 2007. Amended by Laws 2010, Ch. 349, § 1, eff. July 1, 2010; Laws 2013, Ch. 531 (S.B. No. 2388), § 1, eff. July 1, 2013; Laws 2014, Ch. 375 (H.B. No. 593), § 2, eff. July 1, 2014; Laws 2017, Ch. 420 (H.B. No. 1213), § 2, eff. July 1, 2017; Laws 2019, Ch. 473 (S.B. No. 2576), § 3, eff. July 1, 2019; Laws 2019, Ch. 464 (S.B. No. 2840), § 2, eff. July 1, 2019.

Miss. Code Ann. § 43-21-261, MS ST § 43-21-261

The Statutes and Constitution are current with laws from the 2022 Regular Session effective through April 26, 2022. Some statute sections may be more current, see credits for details. The statutes are subject to changes provided by the Joint Legislative Committee on Compilation, Revision and Publication of Legislation.

West's Annotated Mississippi Code
Mississippi Rules of Court State
Uniform Rules of Youth Court Practice

Rules of Youth Ct. Practice, Rule 5

Rule 5. Confidentiality of Records and Proceedings

Currentness

(a) Delinquency and child in need of supervision proceedings.

(1) Confidential records. Records involving children, as defined under [section 43-21-105 of the Mississippi Code](#), shall not be disclosed except as authorized by Mississippi's Youth Court Law and these rules.

(2) Disclosure of records involving children by court order. The court may order the disclosure of records involving children pursuant to [section 43-21-261 \(1\) of the Mississippi Code](#). Any records so disclosed shall be subject to the confidentiality requirements of [section 43-21-261\(2\) of the Mississippi Code](#). The procedures set forth in Rule 6 of these rules must be followed whenever any court other than youth court issues a subpoena duces tecum for records involving children.

(3) Disclosure of records involving children not requiring a court order. Certain records involving children may be disclosed without an order of the court pursuant to [sections 43-21-261\(1\) through \(18\) and 43-21-623 of the Mississippi Code](#). Any records so disclosed shall be subject to the confidentiality requirements of [section 43-21-261\(2\) of the Mississippi Code](#).

(4) Media and electronic media access to proceedings. Media and electronic media coverage, as such terms are defined under Rule 2 of the Rules for Electronic and Photographic Coverage of Judicial Proceedings, in delinquency or child in need of supervision proceedings is strictly prohibited except upon findings of facts and conclusions of law by the court of extraordinary and compelling circumstances.

(b) Child protection proceedings.

(1) Confidential records. Records involving children, as defined under [section 43-21-105 of the Mississippi Code](#), shall not be disclosed except as authorized by Mississippi's Youth Court Law and these rules.

(2) Disclosure of records involving children by court order. The court may order the disclosure of records involving children pursuant to [section 43-21-261\(1\) of the Mississippi Code](#). Any records so disclosed shall be subject to the confidentiality requirements of [section 43-21-261\(2\) of the Mississippi Code](#). The procedures set forth in Rule 6 of these rules must be followed whenever any court other than youth court issues a subpoena duces tecum for records involving children.

(3) Disclosure of records involving children not requiring a court order. Certain records involving children may be disclosed without an order of the court pursuant to [section 43-21-261\(1\)](#) through [\(18\) of the Mississippi Code](#). Any records so disclosed shall be subject to the confidentiality requirements of [section 43-21-261\(2\) of the Mississippi Code](#).

(4) Media and electronic media access to proceedings. Media or electronic media coverage, as such terms are defined under Rule 2 of the Rules for Electronic and Photographic Coverage of Judicial Proceedings, is strictly prohibited except upon findings of facts and conclusions of law by the court of extraordinary and compelling circumstances.

Credits

[Adopted effective January 8, 2009. Amended effective July 17, 2012.]

Rules of Youth Ct. Practice, Rule 5, MS R YCP Rule 5

Current with amendments received through April 1, 2022. Some rules may be more current, see credits for details.

End of Document

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Part 1902: Rules and Regulations for Social Workers

Part 1902 Chapter 1: General Provisions

Rule 1.1

- A. "Social Work Practice" means the professional activity directed at enhancing, protecting or restoring people's capacity for social functioning, whether impaired by physical, environmental, or emotional factors. It is the professional application of social work values, principles, skills, and knowledge directed to one or more of the following ends: helping people obtain tangible services; counseling or psychotherapy with individuals, families, and groups; helping communities or groups to provide and/or improve social and health services; engaging in consulting, research, and teaching relating to those ends and principles; and administering organizations and agencies engaging in such practice and participating in relevant legislative processes. Social work practice is based on a specific body of knowledge and includes, but is not limited to, a special knowledge of social resources, social systems, human capabilities, and the part that past experiences play in determining present behavior. Social work practice is focused on the client's interaction with social systems and directed at helping people to achieve more adequate, satisfying, productive, and self-realizing social adjustments. Social work practice includes, but is not restricted to, casework and the use of social work methodology of a non-medical nature with individuals, families, and groups and other measures to help people modify behavior or personal and family adjustment; providing information and referral services; explaining and interpreting the psycho-social aspects in the situation of individuals, families, or groups; helping communities to analyze social problems and human needs and the direct delivery of human services; and education and research related to the practice of social work. Engaging in activities which may overlap social work practice does not constitute social work practice

Rule 3.2 GUIDELINES OF PRACTICE (See also MS Code Annotated, 1972, Sections 73- 54- 1 et seq.) It is the legal and ethical responsibility of each licensed social worker to limit the scope of professional practice to the parameters of the licensee's competencies. Client systems for all levels of licensure may be individuals, groups, families, organizations, and communities.

A. Licensed Social Worker (LSW) The entry level of social work practice usually includes a wide range of direct services under the supervision of a Licensed Master Social Worker or other qualified professional. The LSW generally provides basic problem solving interventions. Professional tasks may include data gathering, assessment, planning and contracting, various generalist interventive methodologies, conducting educational and supportive groups and evaluation of own

practice. LSWs should not provide clinical social work services, psychotherapy, or engage in autonomous practice.

B. Licensed Master Social Worker (LMSW) The LMSW may provide services to individuals, couples, families, organizations and communities. Such services shall be guided by 55 knowledge of social work theory, social resources, social systems, human behavior, ethics, and methods to restore or enhance social, psychosocial or bio-psychosocial functioning. Scope of practice includes, but is not limited to, assessment, treatment implementation and evaluation, case management, information and referral, mediation, education, psychotherapy, advocacy, supervision of employees, consultation, research, community organization and development, administration of social policies, programs and activities. A LMSW may provide clinical social work services within a recognized setting such as social, medical and governmental agencies and organizations only when under the supervision of a LCSW or other licensed or certified clinical professions such as a psychiatrist, or PhD, or PsyD level clinical psychologist. A LMSW may only work as an employee in an agency or organizational setting and cannot engage in autonomous practice. Supervision of a LMSW for LCSW certification can only be provided by a LCSW as specified in Section IV. LMSWs must not provide unsupervised clinical services and cannot hold him/her self out as a Licensed Clinical Social Worker.

C. Licensed Certified Social Worker (LCSW) The LCSW is qualified to perform all services included in the LMSW scope of practice in Section B above and those specified for the LCSW herein. The LCSW shall be qualified to function independently and shall demonstrate special knowledge and skill in his/her practice areas. Clinical Social Work Practice means the application of social work methods and values in diagnosis and treatment and prevention of psychosocial dysfunction disability or impairment including emotional, mental, and behavioral disorders. It is directed at enhancing, protecting, or restoring people's capacity for social functioning, whether impaired by physical, environmental, or emotional factors. Clinical social work has a primary focus on the mental, emotional and behavioral well-being of individuals, couples, families and groups. It centers on a holistic approach to psychotherapy and the client's relationship with his or her environment as essential to treatment planning. Clinical social workers are qualified to use the current versions of the Diagnostic and Statistical Manual of Mental Disorders (DSM), the International Classification of Diseases (ICD), and other diagnostic classification systems in assessment, diagnosis, and other activities related to mental health issues. The LCSW specializing in clinical practice may independently engage in the use of a variety of psychotherapeutic techniques. The clinician is legally and ethically bound to practice only in the parameters of his/her 56 expertise, based on education, training, experience, and competency. The LCSW in macro practice shall demonstrate skill in supervision and management at the macro level. Macro Social Work Practice focuses on changing larger systems, such as

communities and organizations. It encompasses a broad spectrum of practice, including planning, program development, community organizing, policy analysis, legislative advocacy, program evaluation, task-oriented group work, community education, and human services management. The Clinical social worker encompasses macro practice skills as long as the person is practicing within their scope of expertise, based on education, training, experience, and competency.