

# OFFICE OF RESPONDENT PARENTS' COUNSEL

## Preventive Legal Services Implementation Guide



LAUREN GASE, PHD

SR. RESEARCHER/PROJECT DIRECTOR, COLORADO EVALUATION AND ACTION  
LAB

ALLIE KALLMANN WEGNER, MA, MED

STAFF RESEARCHER, COLORADO EVALUATION AND ACTION LAB

ELYSIA V. CLEMENS, PHD, LPC

DEPUTY DIRECTOR/COO, COLORADO EVALUATION AND ACTION LAB

May 11, 2022

Page intentionally left blank.

## Table of Contents

I.	About the Guide.....	5
A.	Audience, Purpose, and Goals .....	5
B.	Organization of the Guide .....	5
II.	Section 1. Program Overview: What are Preventive Legal Services? Why Are They Important?.....	9
A.	The Rationale for Preventive Legal Services .....	9
1.	Social and Financial Benefits of Preventing Unnecessary Removals from the Home .....	10
B.	Preventive Legal Services as Promising Practice .....	11
1.	Secondary Prevention .....	11
2.	Theoretical Foundations.....	11
3.	Preventive Legal Services in Other Jurisdictions .....	11
4.	Common Characteristics of Preventive Legal Services Programs.....	13
C.	Colorado’s Preventive Legal Services Program .....	14
1.	2022 Pilot in Jefferson County .....	15
2.	Program Essential Elements .....	15
3.	Program Logic Model.....	17
III.	Section 2. Who is Involved in Preventive Legal Services? .....	23
A.	Referral Sources.....	23
B.	Office of Respondent Parents’ Counsel Contractors .....	23
C.	Complementary Civil Legal Services Providers .....	24
IV.	Section 3. Program Implementation: How Does the Preventive Legal Services Process Work?.....	27
A.	Eligibility for Preventive Legal Services .....	27
B.	Preventive Legal Services Workflow .....	27
1.	Referral.....	31
2.	Office of Respondent Parents’ Counsel (ORPC) Screening.....	31
3.	Respondent Parents’ Counsel (RPC) Case Review .....	31
4.	Case Proceedings.....	32
5.	Case Closure .....	32
V.	Appendices.....	33
Appendix A:	Theoretical Foundations of Preventive Legal Services .....	35
Appendix B:	Review of Preventive Legal Services Programs .....	37
Appendix C:	Legal Services Menu .....	41
Appendix D:	JDF 208 Form .....	43
Appendix E:	Referral Form Example.....	49
Appendix F:	Internal Screening and Eligibility Review Form Example .....	51
Appendix G:	Parent Eligibility Contact Script Samples.....	53
Appendix H:	Parent Interview Protocol at Case Closure .....	55
Appendix I:	6-Month Parent Interview Protocol .....	57

Page intentionally left blank.

## I. About the Guide

Preventive legal services, also called pre-filing or pre-petition representation, are part of a [continuum of legal advocacy efforts](#) used to promote long-term family strengthening and protect the fundamental right to parent. Preventive legal services provide proactive legal support to parents before a child welfare case is filed. This representation is intended to safely reduce unnecessary removals of children that are driven by issues related to poverty, joblessness, substandard housing, and other situations that could be remediated through the provision of legal services.

### A. Audience, Purpose, and Goals

The Preventive Legal Services Implementation Guide has three primary audiences with overlapping purposes:

- **The Office of Respondent Parents' Counsel (ORPC) contractors** across the state, including lawyers, social workers, and parent advocates, can use this guide to support implementation of the preventive legal services program.
- **Referral partners** can reference this guide to better understand the goals of the program and support them in identifying and referring eligible parents to the preventive legal services program and understanding the goals and activities of the program.
- **ORPC staff** can use this guide to support communication, program continuity, strengthening implementation with pilot jurisdictions, and standing up this approach in new jurisdictions.

In addition, we hope this guide will assist other states with informing, scaling, or creating their own preventive legal services programs.

### B. Organization of the Guide

We begin with an overview of the preventive legal services program (the “what”) and the rationale for the program, including its importance to Colorado families and its goals (the “why”). Next, we describe each of the key partners and their roles in implementing the program (the “who”). In the last section, we dive deeper into the program mechanics, organized from a workflow perspective (from referral to case closure). Throughout the guide we reference supplemental resources and templates, which are included in the appendices.

Page intentionally left blank.

# SECTION 1. PROGRAM OVERVIEW

WHAT ARE PREVENTIVE LEGAL  
SERVICES? WHY ARE THEY  
IMPORTANT?



Page intentionally left blank.



## II. Section 1. Program Overview: What are Preventive Legal Services? Why Are They Important?

Preventive legal services in this model span what Casey Family Programs refers to in their [continuum of legal advocacy efforts](#) as preventative legal advocacy and pre-petition representation. Preventive legal advocacy addresses “upstream legal issues that, if left unchecked, can lead to unnecessary reports to the child protection hotline,”<sup>1</sup> and pre-petition legal representation focuses on providing “legal services to families after they have come to the attention of the child protection agency but before a dependency petition has been filed in family court.”<sup>2</sup> Together, the goal is to promote long-term family strengthening and protect the fundamental right to parent. Preventive legal services provide proactive legal support to parents before a child welfare case is filed.

These advocacy services can be delivered by an attorney or an attorney in collaboration with a social worker or parent advocate (an “interdisciplinary team”). A parent advocate is someone who has successfully navigated child welfare involvement. This representation is intended to safely reduce unnecessary removals of children that are driven by issues related to poverty, joblessness, substandard housing, and other situations that could be remediated through the provision of legal services. The fundamental right to parent can be proactively protected by addressing these challenges.<sup>3</sup>

### A. The Rationale for Preventive Legal Services

Social determinants play a substantial role in the likelihood that a family will interact with the child welfare system. Poverty and economic stress are strongly associated with child welfare involvement.<sup>4, 5</sup> Approximately 25% of parents with prior child welfare involvement identified that their interactions with and reliance on social services, such as shelters or early intervention providers, brought them to the attention of the system.<sup>6</sup> Other risk factors at the community level include a lack of social cohesion and community involvement and high rates of poverty and limited economic opportunities, unemployment, unstable housing, and food insecurity.<sup>7, 8</sup> These factors may also interact with each other. For example, neighborhood-level disadvantage is particularly impactful for families experiencing poverty, potentially because of challenges such as lack of employment opportunities, affordable

---

<sup>1</sup> Casey Family Programs, *How is Preventive Legal Advocacy Critical to the Continuum of Legal Advocacy?* (2021), <https://www.casey.org/preventive-legal-advocacy/>.

<sup>2</sup> Casey Family Programs, *How is Pre-petition Legal Representation Critical to the Continuum of Legal Advocacy?* (2021), <https://www.casey.org/pre-petition-legal-advocacy/>.

<sup>3</sup> *Id.*

<sup>4</sup> Leroy H. Pelton, *The Continuing Role of Material Factors in Child Maltreatment and Placement*, 41 CHILD ABUSE & NEGLECT 30–39 (Mar. 2015), <https://doi.org/10.1016/j.chiabu.2014.08.001>.

<sup>5</sup> National Center for Injury Prevention and Control, Division of Violence Prevention, *Risk and Protective Factors* (Mar. 15, 2021), <https://www.cdc.gov/violenceprevention/childabuseandneglect/riskprotectivefactors.html>.

<sup>6</sup> Kelley Fong, *Child Welfare Involvement and Contexts of Poverty: The Role of Parental Adversities, Social Networks, and Social Services*, 72 CHILDREN AND YOUTH SERVICES REVIEW 5-13 (2017), <http://dx.doi.org/10.1016/j.childyouth.2016.10.011>.

<sup>7</sup> National Center for Injury Prevention and Control, Division of Violence Prevention, *supra* note 5.

<sup>8</sup> Amy A. Hunter & Glenn Flores, *Social Determinants of Health and Child Maltreatment: A Systematic Review*, 89 PEDIATRIC RESEARCH 269–274 (2021), <https://doi.org/10.1038/s41390-020-01175-x>.

groceries, or community resources that contribute to family stress.<sup>9</sup> Additionally, poor families' material hardships can also be conflated with neglect.<sup>10, 11</sup>

Conversely, protective factors that insulate against the potential for child maltreatment include the caregiver's ability to meet basic needs of food, shelter, education, and health services, and having a strong social support network. They are additionally supported when they live in communities with safe, stable housing, access to medical care and mental health services, and economic and financial help.<sup>12</sup> Families can benefit from the support of legal and social work advocacy to help navigate the challenging systems that are intended to provide support. These supports can promote family strengthening, reduce the risk factors for child maltreatment, and, ultimately, prevent unnecessary removals of children from the home and/or further penetration into the child welfare system.

## **1. Social and Financial Benefits of Preventing Unnecessary Removals from the Home**

Preventing unnecessary removal from the home is important both for preserving the fundamental right to parent and, critically, for promoting positive outcomes for children. In marginal cases, children who are placed into foster care, rather than remaining with their family of origin, have a higher likelihood of later juvenile delinquency and more frequent emergency health care episodes.<sup>13</sup> Removal from the home can be traumatic for children *and* for their parents,<sup>14</sup> and adverse childhood experiences and resulting toxic stress have negative effects on health, well-being, educational opportunities, job and earning potential, behavior, and other critical outcomes.<sup>15</sup> Furthermore, foster care is expensive. In the 2020 fiscal year, the state of Colorado spent \$90,632,069 on foster care services.<sup>16</sup>

Because of these social and financial costs, child welfare professionals have sought out legal strategies to prevent removal from the home whenever safe and possible. One model employed is the continuum of preventive legal advocacy, which incorporates "strategically targeted efforts to help support families through advocacy that promotes social determinants of health to prevent the need to refer families to child protective services for issues that legal advocacy can resolve."<sup>17</sup> This legal aid can help stabilize and strengthen families and serve as a supplement to the social programs intended to provide support for families.<sup>18</sup>

---

<sup>9</sup> Kathryn Maguire-Jack & Sarah A. Font, *Community and Individual Risk Factors for Physical Child Abuse and Child Neglect: Variations by Poverty Status*, 22(3) CHILD MALTREATMENT 215-226 (2017), <https://doi.org/10.1177/1077559517711806>.

<sup>10</sup> Mi-Youn Yang, *The Effect of Material Hardship on Child Protective Service Involvement*, 41 CHILD ABUSE & NEGLECT 113-125 (2014), <https://doi.org/10.1016/j.chiabu.2014.05.009>.

<sup>11</sup> Leroy H. Pelton, *supra* note 4.

<sup>12</sup> National Center for Injury Prevention and Control, Division of Violence Prevention, *supra* note 5.

<sup>13</sup> Joseph J. Doyle, *Causal Effects of Foster Care: An Instrumental-variables Approach*, 35(7) CHILDREN AND YOUTH SERVICES REVIEW 1143-1151 (2013), <http://doi.org/10.1016/j.childyouth.2011.03.014>.

<sup>14</sup> Vivek Sankaran et al., *A Cure Worse Than the Disease? The Impact of Removal on Children and Their Families*, 102(4) MARQUETTE LAW REVIEW 1163-1194 (2019).

<sup>15</sup> Centers for Disease Control and Prevention, *Preventing Adverse Childhood Experiences* (Apr. 6, 2021), <https://www.cdc.gov/violenceprevention/aces/fastfact.html>.

<sup>16</sup> Casey Family Programs, State Fact Sheet – Colorado, 2021, <https://caseyfamilypro-wpengine.netdna-ssl.com/media/colorado-fact-sheet-2021.pdf>.

<sup>17</sup> Casey Family Programs, *Preventive Legal Advocacy* (2021), <https://www.casey.org/preventive-legal-advocacy-topic-page/>.

<sup>18</sup> The United States Department of Justice, White House Legal Aid Interagency Roundtable, *Case Study: Strengthen Families* (Feb. 2016), <https://www.justice.gov/lair/file/829316/download>.

## B. Preventive Legal Services as Promising Practice

The provision of preventive legal services is secondary prevention strategy that is a theory-informed approach to applying the benefits of legal aid to activities and supports needed to prevent further involvement in the child welfare system. Proponents of this strategy include the American Bar Association Center on Children and the Law, Casey Family Programs, the National Council of Juvenile and Family Court Judges, and the Family Justice Initiative.<sup>19</sup> It has also been identified as a strategy to reduce racial disproportionality in child welfare.<sup>20, 21</sup>

### 1. Secondary Prevention

Efforts to prevent child maltreatment are typically categorized into primary (targeted at the general population), secondary (targeted at populations at high risk for maltreatment), and tertiary (targeted at families where maltreatment has already occurred) prevention levels.<sup>22</sup> The preventive legal services are *secondary* prevention because they target families with legal issues that affect family safety. This program is further upstream than the post-petition counsel for indigent families, a *tertiary* prevention effort. It is also further downstream from the *primary* prevention programs that seek to prevent the occurrence the legal issues that affect family safety. The addition of preventive legal services can mitigate some of the disproportionality in child welfare involvement that is associated with poverty and can create a more robust maltreatment prevention system.

### 2. Theoretical Foundations

The approach of providing preventive legal services is supported by Bioecological models and Social Capital Theory. The Bioecological model describe the multiple levels at which the interdisciplinary representation affects change. Social Capital theory is how that change occurs. High quality legal services, the advocacy of social work professionals, and the lived experiences of parent advocates who have previously been involved with the child welfare system infuse social capital in clients' lives and networks. This interdisciplinary representation can help parents navigate the complex child welfare and courts systems, and the support of the team can further address families' fundamental needs. In the longer term, changes to the ways parents are represented in child welfare and legal proceedings also have the potential to shift the attitudes, beliefs, and structures at a systemic level. (For more detail on the program's theoretical foundations, see [Appendix A](#)).

### 3. Preventive Legal Services in Other Jurisdictions

The results of preventive legal services programs in other jurisdictions indicate that legal aid intervention early in child welfare cases can address unresolved legal problems and keep children from unnecessarily entering the child welfare system,<sup>23</sup> and these successes have led the American Bar Association to support prepetition legal representation.<sup>24</sup> However, the research base specific to the preventive legal services model is limited. Several programs have contributed to the development of a preventive legal services model:

---

<sup>19</sup> Am. Bar Ass'n, *Prepetition legal Representation*, [https://www.americanbar.org/groups/public\\_interest/child\\_law/project-areas/family-justice-initiative/prepetition-legal-representation/](https://www.americanbar.org/groups/public_interest/child_law/project-areas/family-justice-initiative/prepetition-legal-representation/)

<sup>20</sup> Alliance for Children's Rights, *The Path to Racial Equity in Child Welfare: Valuing Family and Community (2021 Policy Summit Report)* (2021), [https://allianceforchildrensrights.org/wp-content/uploads/REJPS\\_summit\\_report.pdf](https://allianceforchildrensrights.org/wp-content/uploads/REJPS_summit_report.pdf)

<sup>21</sup> Center for Family Representation, *Defending and Supporting Families* (2021), <https://cfrrp.org/family-defense-teams/>

<sup>22</sup> U.S. Department of Health & Human Services, Child Welfare Information Gateway, *Framework for Prevention of Child Maltreatment*, <https://www.childwelfare.gov/topics/preventing/overview/framework/>.

<sup>23</sup> Vivek Sankaran, *Using Preventive Legal Advocacy to Keep Children from Entering Foster Care*, 40(3) WILLIAM MITCHELL LAW REVIEW 1036-47 (2014).

<sup>24</sup> Am. Bar Ass'n, *supra* note 19.

- The **Center for Family Advocacy in Detroit (CFA)**, which operated from 2009 to 2016, provided legal services to families in Wayne County, Michigan, with a focus on areas with high poverty rates to prevent removal of their child to foster care (prevention cases), or to facilitate a child's early exit from foster care (permanency cases). In its 2009-2012 pilot, CFA addressed legal barriers such as guardianship, custody, and housing for 55 prevention cases, and none of the 110 children served in those cases entered foster care. The evaluation conservatively estimates that these prevention cases resulted in a cost savings of over \$1 million to the Michigan child welfare system.<sup>25</sup>
- The **Parent Representation Project** is an Iowa Legal Aid initiative that began preventive legal services in 2014. Like CFA, the Parent Representation Project provides an interdisciplinary team to serve custodial parents with family law (e.g., domestic violence protection orders) and poverty-related (e.g., housing instability) needs in four counties, with a pilot expansion in up to six counties recently authorized.<sup>26</sup> In 2019, the Parent Representation Project closed 62 preventive legal services cases, serving 118 children. They estimate that for each dollar invested in their services, the return to the child welfare system, court system, and clients is \$4.36.<sup>27</sup>
- **Legal Services of New Jersey (LSNJ)** began its statewide work in preventive legal services in 2018 and has since received over 200 referrals. Across all those resultant cases, zero children have been removed from their home. Like the Detroit and Iowa programs, clients that are referred to LSNJ have child welfare safety concerns that are poverty-based; LSNJ estimates that 90% of their prepetition clients have unstable housing. They also use a multidisciplinary staffing model and rely on other legal services attorneys with specific expertise to ensure that their clients' holistic needs are met.<sup>28</sup>

In light of the successes of foundational programs, the preventive legal services model is in the midst of expanding to other jurisdictions (for a summary of preventive legal services programs, see [Appendix B](#)). While, historically, such programs have been funded by state and private dollars,<sup>29</sup> recent policy changes allow funding from federal sources. Title IV-E of the Social Security Act provides federal funds for services intended to prevent the use of foster care in child maltreatment cases. In 2018 and 2020, updates were made to federal child welfare policy to allow for reimbursement of the costs of legal representation and multidisciplinary team members for parents and children involved in the child welfare system. This change opened up federal funds to provide preventive *and* legal support for children and their families before the filing of a dependency and neglect petition.<sup>30, 31</sup> Most states are

<sup>25</sup> University of Michigan Law School, *Detroit Center for Family Advocacy Pilot Evaluation Report*, 7/2009-6/2012 (Feb. 2013).

<sup>26</sup> Amber Gilson & Michelle Jungers, *Preserving Families Through High-Quality Pre-Petition Representation*, Americanbar.org (Mar. 4, 2021), <https://www.americanbar.org/groups/litigation/committees/childrens-rights/articles/2021/spring2021-preserving-families-through-high-quality-pre-petition-representation/>.

<sup>27</sup> Iowa Legal Aid, *Parent Representation Project*, [https://www.americanbar.org/content/dam/aba/administrative/child\\_law/ila-parent-rep-project.pdf](https://www.americanbar.org/content/dam/aba/administrative/child_law/ila-parent-rep-project.pdf).

<sup>28</sup> Gianna Giordano & Jey Rajeraman, *Increasing Pre-petition Legal Advocacy to Keep Families Together*, Americanbar.org (Dec. 15, 2020), <https://www.americanbar.org/groups/litigation/committees/childrens-rights/articles/2020/winter2021-increasing-pre-petition-legal-advocacy-to-keep-families-together/>.

<sup>29</sup> Casey Family Programs, *How Can Pre-Petition Legal Representation Help Strengthen Families and Keep Them Together?* (2020), <https://www.casey.org/preventive-legal-support/>.

<sup>30</sup> Christina Cullen, *New Title IV-E Dollars for Child and Parent Legal Representation Presents a Tremendous Opportunity to Improve Outcomes for Families*, 40(1) CHILDREN'S LEGAL RIGHTS JOURNAL (2020), <https://lawcommons.luc.edu/cgi/viewcontent.cgi?article=1210&context=clj>.

<sup>31</sup> Family Justice Initiative, *To Clarify the Distinction Between Title IV-E Funding for Legal Representation and Title IV-E Funding for Family First Prevention Services*, Americanbar.org, [https://www.americanbar.org/content/dam/aba/administrative/child\\_law/ffpsa-legal-rep-funding.pdf](https://www.americanbar.org/content/dam/aba/administrative/child_law/ffpsa-legal-rep-funding.pdf).

now claiming or working toward capacity for Title IV-E funds for attorneys for children and parents.<sup>32</sup> Other sources of federal funding available for preventive legal services work include Medicaid, Temporary Assistance for Needy Families (TANF), and Court Improvement Program funds.<sup>33</sup>

#### **4. Common Characteristics of Preventive Legal Services Programs**

Preventive legal services programs typically share several characteristics:

- a focus on indigent families,
- a partnership with state and/or county child welfare offices,
- the goal of preventing further involvement with the child welfare system, and
- the use of an interdisciplinary team.

Many of these programs offer legal services that go beyond advice and advocacy to address other legal problems, such as divorce, protection orders, or representation in housing disputes.<sup>34</sup> Most programs have established partnerships with a range of entities, including government agencies—in particular, child welfare offices, to identify and refer parents—as well as community organizations, external legal services providers, medical providers, and other entities to support referral and program implementation.

The use of an interdisciplinary team has been shown to be a supportive component of parental representation programs from pre-filing to post-petition. When a legal advocate is paired with other professionals, such as social workers and parent advocates, to form an interdisciplinary team, there is better support to reduce time in foster care (when placement is necessary),<sup>35</sup> increase the likelihood of reunification,<sup>36</sup> and even prevent entry into foster care altogether.<sup>37</sup> Representatives from model preventive legal services projects have emphasized the importance of the interdisciplinary team to their success and ability to “tackle cases from a variety of angles.”<sup>38</sup>

---

<sup>32</sup>Family Justice Initiative, *Map: States Claiming IV-E Funds for Attorneys for Children & Parents* (Aug. 30, 2021), <https://15ucklg5c821brpl4dycpk15-wpengine.netdna-ssl.com/wp-content/uploads/sites/48/2021/09/States-drawing-IVE-for-child-parent-atty-08-30-2021.pdf>

<sup>33</sup> Casey Family Programs, *supra* note 2.

<sup>34</sup> Casey Family Programs, *supra* note 29.

<sup>35</sup> Lucas A. Gerber et al., *Effects of an Interdisciplinary Approach to Parental Representation in Child Welfare*, 102 CHILDREN AND YOUTH SERVICES REVIEW, 42–55 (2019), <https://doi.org/10.1016/j.childyouth.2019.04.022>

<sup>36</sup> Jason A. Oetjen, *Improving Parents' Representation in Dependency Cases: A Washington State Pilot Program Evaluation* (2003), [http://www.opd.wa.gov/documents/00472003\\_PR\\_P\\_Evaluation.pdf](http://www.opd.wa.gov/documents/00472003_PR_P_Evaluation.pdf)

<sup>37</sup> University of Michigan Law School, *supra* note 25.

<sup>38</sup> Amber Gilson & Michelle Jungers, *supra* note 26.



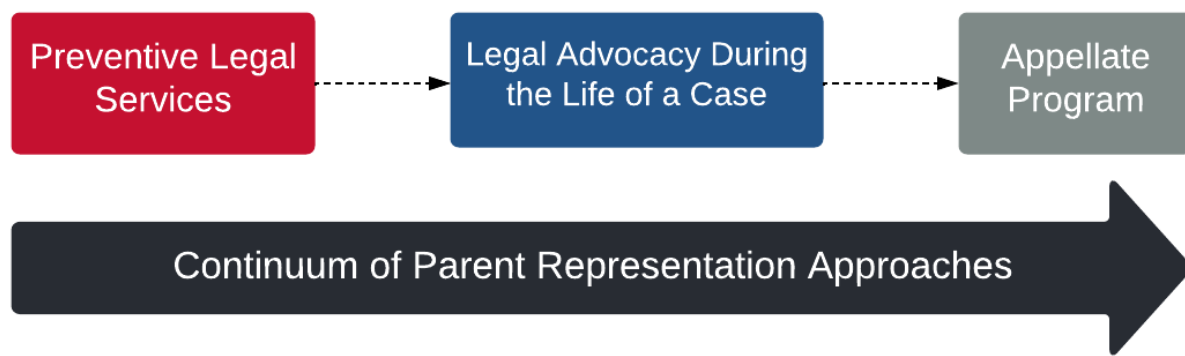
## C. Colorado's Preventive Legal Services Program

Colorado's preventive legal services program is being implemented by the Office of Respondent Parents' Counsel (ORPC).

A Respondent Parents' Counsel (RPC) Task Force was created in 2005 by the Colorado Supreme Court through the Court Improvement Program. The task force conducted a needs assessment to inform parental legal representation. In 2013, the General Assembly funded a position to coordinate training of attorneys. Senate Bill 14-203 established the Office of Respondent Parents' Counsel (ORPC) as an independent governmental agency within the State of Colorado Judicial Branch; House Bill 15-1149 set the timeline for launching the ORPC. The agency opened on January 1, 2016 and assumed oversight for RPC attorneys on July 1, 2016.

The ORPC works across the continuum of parent representation, from preventive legal services to appellate representation, as illustrated in [Figure 1](#). Preventive legal services are an important first point of legal services, providing the opportunity for ORPC attorneys and interdisciplinary teams to address the core reasons that families first encounter the child welfare system.

Figure 1. Continuum of Parent Representation



The preventive legal services program has four main objectives, met through addressing parents' legal needs through representation and advocacy:

- Prevent children from being removed from home and placed in foster care.
- Prevent initial involvement and/or further penetration into the child welfare system.
- Provide excellent interdisciplinary client-centered representation.
- Support continuity of representation for respondent parents, in cases for which a Dependency and Neglect (D&N) petition is filed.

The program has an explicit aim to advance equity by decreasing the disproportionality of child welfare involvement by race/ethnicity and for parents and children with disabilities.

## 1. 2022 Pilot in Jefferson County

The pilot in Jefferson County was implemented in March 2022, supported by federal and state funding. To support pilot implementation ORPC brought together the following initial partners:

- **ORPC attorney, social worker, and parent advocate contractors**, who have expertise advocating for clients in diverse legal settings and in complex social services systems.
- **The Jefferson County Department of Human Services and Colorado Works (TANF) programs**, to refer families to ORPC legal supports early on in their assessment process.
- **Colorado Legal Services**, a partner to provide high quality housing legal services.

Two policies that supported the development of the preventive legal services pilot program in Jefferson County:

- **Federal Funding under the Social Security Act.** As noted in the previous section, updates were made to federal child welfare policy that allowed Colorado to pay for preventive legal services with federal funds.<sup>39</sup>
- **The Family First Prevention Services Act (Family First).** While legal services are not directly eligible for funding under Family First, preventive legal services complement other prevention services, such as mental health or parent supports, that are funded under this policy.<sup>40</sup>

Though initial partnerships have focused on governmental agencies as referral sources, as the program develops and capacity allows, ORPC will build partnerships with other community organizations and agencies that support indigent families.

## 2. Program Essential Elements

Essential elements are the core functions or principles and the associated activities (“active ingredients”) that are necessary for the preventive legal services program to produce its desired impact. The Colorado model for preventive legal services is aligned with the characteristics of the foundational programs described in the previous section, including: a focus on indigent families, a partnership with the county child welfare office, the goal of preventing further involvement with the child welfare system, and the use of an interdisciplinary team. Its location within ORPC positions it to be an effective element in the continuum of support for children and families.

---

<sup>39</sup> Christina Cullen, *supra* note 30.

<sup>40</sup> Family Justice Initiative, *supra* note 31.

## Preventive Legal Services Essential Elements

<p><b>Principles</b> <i>What assumptions are preventive legal services grounded in?</i></p> <ul style="list-style-type: none"> <li>• Indigent parents with unresolved legal needs lack access to timely and quality legal advocacy.</li> <li>• Families with unresolved legal problems are vulnerable to child welfare involvement.</li> <li>• Trauma to children is reduced when parents are provided prevention and supports to keep families together.</li> <li>• Families need assistance navigating the complexities of the legal system and exercising their legal rights before child welfare-related court involvement.</li> <li>• In targeting the program to indigent families, preventive legal services will differentially support those who have historically been overrepresented in child welfare cases.</li> </ul>	<p><b>Context and Structure</b> <i>What does implementation look like?</i></p> <ul style="list-style-type: none"> <li>• The program serves indigent parents with unresolved legal needs whose children are at risk for being removed from the home.</li> <li>• Clients are referred by partner agencies (governmental agencies, community-based organizations, and others serving indigent families) or by themselves. They are eligible if they live in the geographic area, are indigent, do not have legal representation, and have a qualifying legal issue impacting family safety.</li> <li>• Clients are served by attorneys and, as needed and available, an interdisciplinary team consisting of a social worker or parent advocate.</li> <li>• The attorney/team decides how best to spend their time, under the budgeted amount (range 22 to 77 hours), with additional time granted by ORPC on a case-by-case basis.</li> <li>• Cases are closed when parents' needs are addressed. If a D&amp;N petition is filed, the pre-filing case is closed and the court assigns counsel.</li> </ul>
<p><b>Major Activities</b> <i>What do ORPC contractors do in their day-to-day work?</i></p> <ul style="list-style-type: none"> <li>• Conduct initial case planning to collaboratively assess family strengths and legal needs.</li> <li>• Build a client-centered team.</li> <li>• Provide legal assistance/representation, as defined in the legal services menu (<a href="#">Appendix C</a>).</li> <li>• Hold the state accountable to its burden to ensure processes are fair and followed.</li> <li>• Engage in safety planning.</li> <li>• Make referrals to partner organizations (e.g., Colorado Legal Services).</li> <li>• Support the client outside of court (e.g., referrals, applications, system navigation, and advocacy).</li> </ul>	



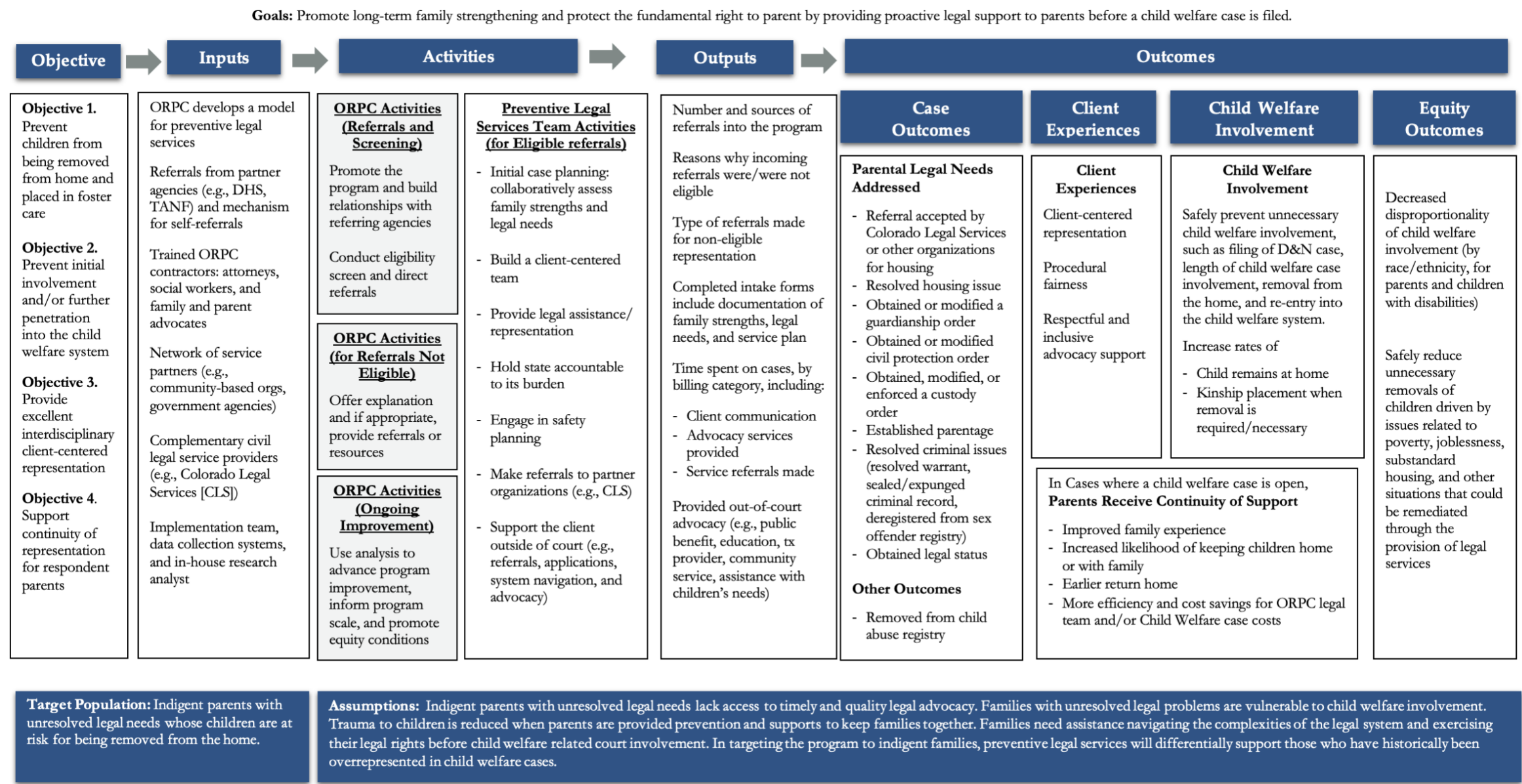
### **3. Program Logic Model**

The preventive legal services logic model illustrates the relationship between the program activities and the program's intended outcomes. As illustrated in [Figure 2](#), program activities support parents in having their legal needs addressed. Likewise, clients experience client-centered representation, procedural fairness, and respectful and inclusive advocacy support. In turn, unnecessary child welfare involvement is prevented, including decreases in the number of D&N cases, the length of child welfare involvement, and removal of children from the home. If a court case is opened, there is continuity of service and representation within ORPC, supporting an improved family experience and positive case outcomes.

The preventive legal services program has an explicit aim to advance equity by (a) decreasing the disproportionality of child welfare involvement by race/ethnicity and for parents and children with disabilities and (b) safely reducing unnecessary removals of children driven by issues related to poverty, joblessness, substandard housing, and other situations that could be remediated through the provision of legal services.

Page intentionally left blank.

Figure 2. Office of Respondent Parents’ Counsel (ORPC): Preventive Legal Services Program Logic Model



Page intentionally left blank.

## Section 2. Who is Involved in Preventive Legal Services?



Page intentionally left blank.

### III. Section 2. Who is Involved in Preventive Legal Services?

The preventive legal services program is intended to serve indigent parents who have unmet legal issues affecting family safety but lack access to high quality legal support. Parents are referred in by themselves or a community or governmental partner; are served by a legal team that may be interdisciplinary; and may have additional legal representation provided by attorneys/organizations that specialize in types of law beyond the scope of the services ORPC contractors offer.

#### A. Referral Sources

The ORPC welcomes referrals from social services case workers, community agencies, and parent self-referrals. Example referral partners include child welfare and human services departments, community resource centers, housing organizations, and others who interact with indigent families.

For the 2022 pilot program, ORPC established partnerships with Colorado Works (TANF) and the Jefferson County Department of Human Services to solicit referrals for their clients that may benefit from the preventive legal services program.

#### B. Office of Respondent Parents' Counsel Contractors

The ORPC contracts with external legal offices, termed RPC and referred to as contractors, to work with indigent parents who are involved, or at risk of involvement, with the child welfare system. Preventive legal services are provided by an individual attorney or an interdisciplinary team. The decision about whether to provide interdisciplinary team services is made on a case-by-case basis, at the discretion of the RPC partner. Consultants include:

- **Attorneys.** Attorneys are assigned to all preventive legal services cases. They are primarily responsible for legal activities on behalf of their clients.
- **Social Workers.** Social workers provide additional support for families, such as crisis intervention, benefits advocacy, or systems navigation.
- **Parent Advocates.** Parent advocates have lived experiences with the child welfare system and have successfully navigated it previously. They provide additional support for a family with children at risk for removal.

Additionally, the ORPC contracts with social workers to review referrals and make initial contact with parents and with RPC.

## C. Complementary Civil Legal Services Providers

While RPC have expertise in many of the areas addressed in the preventive legal services program, the ORPC also contracts directly with complementary civil legal services providers. These are existing organizations that have specific expertise in civil legal matters (e.g., housing or immigration) that cannot be met by RPC.

For the 2022 pilot program, ORPC partnered with Colorado Legal Services (CLS) to consult on some housing cases. For example, RPC may provide initial legal advice on a housing matter or correspond with a landlord or housing authority, but CLS provides legal support on eviction cases or other, more involved cases. If such a need emerges, the RPC office contacts the CLS liaison to refer this case for these additional services.



# Section 3. Program Implementation

How Does the Preventive Legal Services  
Program Work?



Page intentionally left blank.

## IV. Section 3. Program Implementation: How Does the Preventive Legal Services Process Work?

### A. Eligibility for Preventive Legal Services

To be eligible for ORPC's preventive legal services program, parents must:

- **Meet residency requirements.**<sup>41</sup>
- **Have unmet legal needs that may be affecting the safety of their child.** Categories include the following (for additional detail, please see [Appendix C](#)):
  - Housing
  - Custody and visitation
  - Guardianship
  - Parentage/Paternity
  - Orders of protection
  - Advice on a pending criminal matter
  - Immigration
- **Be indigent.** For the purposes of the preventive legal services program, indigency is based on whether or not the parent would be assigned court-appointed counsel if their case were to progress to court. This determination is made using the JDF 208 form (see [Appendix D](#)).

### B. Preventive Legal Services Workflow

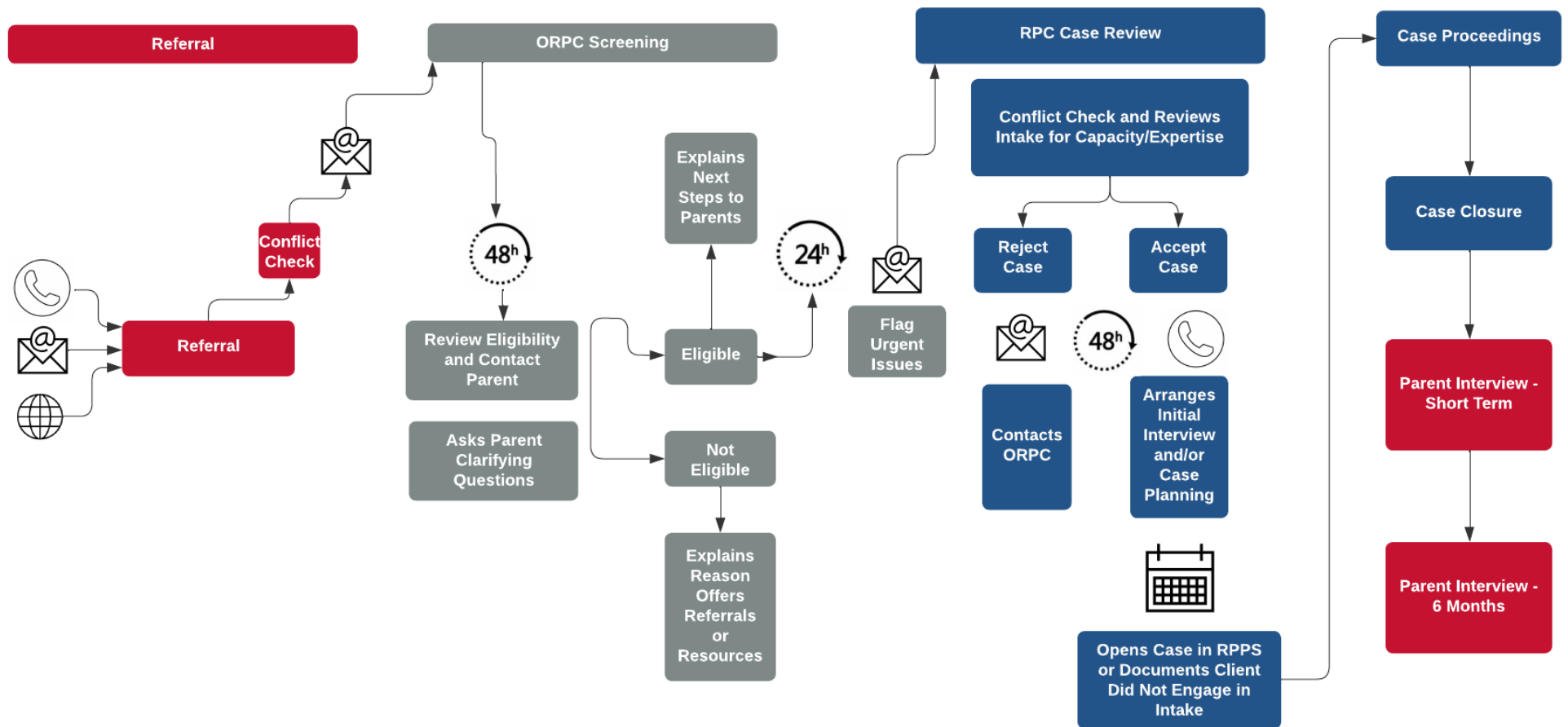
The standard workflow for preventive legal services is shown in [Figure 3](#). In a standard preventive legal services case, a referral is made. An ORPC screening is conducted to assess eligibility. Eligible cases are assigned to a partner RPC office. After the RPC reviews and accepts the case, appropriate advocacy is provided. At the end of the case, ORPC interviews parents to better understand program outcomes, parent perception of services provided, and opportunities for program improvement. Each of these phases is described in greater detail on pages 27 and 29.

---

<sup>41</sup> For example, in the 2022 Jefferson County pilot, parents needed to reside in or have substantial involvement with Jefferson County (e.g., child welfare case, employment).

Page intentionally left blank.

Figure 3. Workflow Diagram



Page intentionally left blank.

## **1. Referral**

Referrals are made by case workers, community-based organizations, individuals, or parents themselves via phone call/text, email, or web form. The referral form used in the pilot can be found in [Appendix E](#). Upon receiving a referral, the ORPC performs an initial conflict check in the Respondent Parent Payment System (RPPS, the client tracking and billing system used by all RPCs) to look for open or past cases. If there are no existing cases or obvious conflicts, ORPC passes the referral to a screener.

## **2. Office of Respondent Parents' Counsel (ORPC) Screening**

Within 48 hours of referral, a screener contacts the parent via phone, email, or text. In this contact, they review the information shared on the referral form for accuracy and fill in any gaps that may help the screener determine eligibility.

The screener completes the internal screening form to determine whether the parent is eligible. The Internal Screening Form used in the pilot can be found in [Appendix F](#).

If the parent is eligible, the screener notifies the family that their case is being referred to an attorney's office and shares next steps, including the need to complete the JDF 208 form (found in [Appendix D](#)). An example script for this contact can be found in [Appendix G](#). The screener contacts the RPC office to hand off the case, sharing the eligibility screening and referral forms. If any urgent issues have been flagged in screening, such as an upcoming court date or child welfare, the screener notifies the RPC to prioritize a rapid turnaround.

If found ineligible, the screener notifies the parent that their case is not a fit for the preventive legal services program and shares the reason why. They may share other resources or refer them to relevant services. The screener submits the eligibility screening form to ORPC to document the parent's ineligibility.

## **3. Respondent Parents' Counsel (RPC) Case Review**

Within 48 hours of receipt of a referral, the RPC reviews the case for any individual conflict and whether it is a match for their capacity/expertise. If there is a conflict, they inform the ORPC and the screener will contact another RPC office. If the case is within RPC expertise and capacity, the RPC accepts the case, notifies ORPC, and arranges an intake interview or case planning meeting with the client. The RPC may use an engagement letter to document the scope of their representation.

If the case could benefit from interdisciplinary representation, the RPC will also make arrangements for the social worker and/or parent advocate who will serve on the case. Some RPCs have social workers/parents advocates on staff. Those who do not can request these additional team members from the ORPC. Cases in which the RPC should consider including an interdisciplinary team member include those in which:

- A parent is experiencing a crisis;
- The family is navigating a mental illness, addiction, domestic violence, or a lack of access to basic needs such as housing, food, income, transportation, or medical/mental health treatment;
- The parent needs hands-on support outside of court;
- The parent or family member has a disability that may require additional advocacy around accommodations and accessibility;

- The attorney needs support engaging the parent in their representation; or,
- The parent would benefit from working with a peer (Parent Advocate) who successfully navigated multiple systems in the past and can offer tips, emotional support, and hands-on support and advocacy for the parent.

#### **i. Case Open in Respondent Parent Payment System**

Within 30 days of accepting the case, the RPC opens the case in RPPS for parents who choose to engage in services. If the client does not respond or chooses not to participate in the program, the RPC contacts the ORPC screener to document that the client did not engage in intake.

### **4. Case Proceedings**

The action taken here is dictated by the individual needs of the case and the discretion of the attorney or interdisciplinary team. These may include in- or out-of-court advocacy, researching the client's case, participating in meetings with representatives from child welfare, filing protection orders, making guardianship arrangements, supporting a client in seeking treatment, or other items identified in [Appendix C](#). If legal needs affecting the safety of the child involve housing or immigration, the RPC may also seek additional support from the ORPC, including using other contractors with expertise in these areas. Time and activities are documented in RPPS.

### **5. Case Closure**

When a client's legal needs that affect the safety of their children have been addressed (e.g., a child welfare investigation has closed, a protective order has been filed, a guardian has been appointed), the RPC discusses closure with the client. At this time, the RPC solicits permission for ORPC to contact the parent for a short interview on services and program improvement. The case is closed by the RPC in RPPS and checked for accuracy by ORPC.

Representatives from ORPC conduct a telephone interview with parents who have given permission for this contact. During this interview, parents are asked for permission to contact them again in approximately 6 months. Feedback from parents is used to support ORPC's understanding of the client's experience in the preventive legal services program, solicit parents' feedback and suggestions for program improvement, and help assess the short- and long-term outcomes of the program. The interview protocols used in the pilot can be found in [Appendix H](#) and [Appendix I](#).



# V. Appendices



Page intentionally left blank.

## Appendix A: Theoretical Foundations of Preventive Legal Services

The approach of pre-filing representation is supported by bioecological models and Social Capital Theory. The Bioecological model describe the levels at which the interdisciplinary representation affects change. Social Capital theory is how that change occurs.

**Bioecological models**, such as Bronfenbrenner's (1977) model describe the influence of levels of environment on individuals (see Figure 4).<sup>42</sup> Concentric circles are used to illustrate the levels and annotation indicates the primary levels at which social workers, parent advocates, attorneys, and the ORPC intervenes. The interdisciplinary team works across levels.

The inner most circle surrounding the parent is the microsystem, containing groups that have direct contact with the parent, such as family members, work, friends, health care providers, social service providers, schools/colleges, a landlord, or a religious community. The mesosystem represents the relationships between those groups with direct influence, such as the relationship between work (income), education, and the landlord (housing). These are the primary levels where social workers and parent advocates provide supports and services.

The exosystem consists of the connections and processes between the groups that directly and indirectly affect the parent, such as the legal and child welfare systems. This is the primary level where the attorney provides legal services.

The macrosystem includes the attitudes and beliefs of wider society, including those about poverty, parenting, and child welfare involvement. Unmet needs and challenges at the micro-, meso-, or exosystem level can put parents at risk for child welfare involvement. In the longer term, changes to the ways parents are represented in child welfare and legal proceedings, due to the intervention of ORPC, also have the potential to shift the systemic attitudes, beliefs, and structures captured at the macrosystem level.

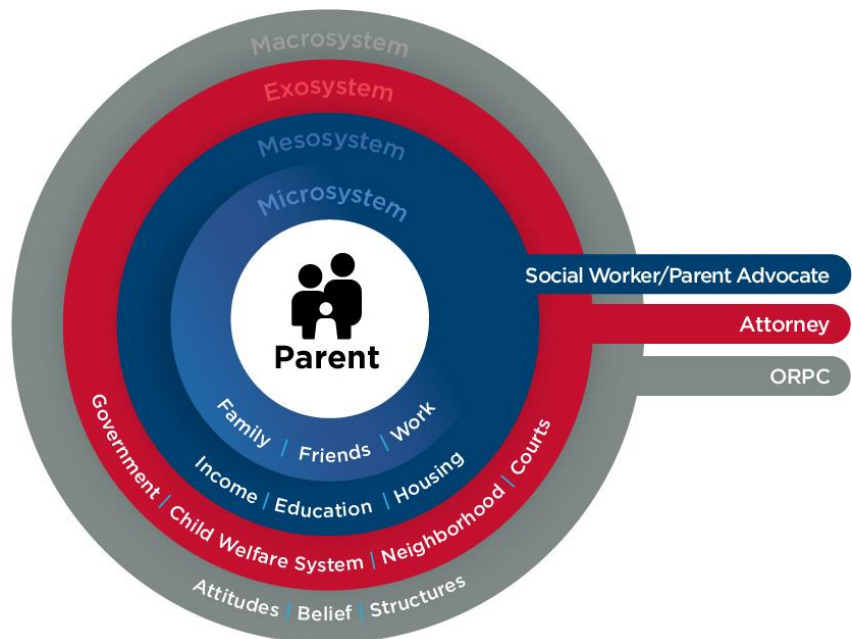


Figure 4. Ecological Systems Model Applied to Parent Representation

<sup>42</sup> Urie Bronfenbrenner, *Toward an Experimental Ecology of Human Development*, 32(70) AMERICAN PSYCHOLOGIST 513–531 (1977), <https://doi.org/10.1037/0003-066X.32.7.513>

**Social Capital Theory.** The legal needs of indigent parents are unmet, in part, because they lack a cohesive network of relationships to support navigating the complexities of each of the levels of systems that surround them, and these challenges manifest in legal issues that affect child safety and present in the court system.

High quality legal services, the advocacy of social work professionals, and the lived experiences of parent advocates who have previously been involved with the child welfare system infuse social capital. This infusion of social capital can further address micro- and mesosystem concerns. Simultaneously, the interdisciplinary representation can facilitate navigating the complicated structures of the child welfare and courts systems.<sup>43</sup> The ORPC through its advocacy and policy work and its investments infuse social capital at the macrosystem level.

---

<sup>43</sup> James S. Coleman, *Social Capital in the Creation of Human Capital*, 94 AMERICAN JOURNAL OF SOCIOLOGY S95-S120 (1988).

## Appendix B: Review of Preventive Legal Services Programs

Name of Program	Year Program Began	Participants Served	Service Provider(s)	Services Provided	Outcomes Achieved
<b>Center for Family Representation (New York City [NYC])</b>	2002	Parents involved in child welfare (CW) hearings in Manhattan, Queens	<ul style="list-style-type: none"> <li>- Attorney</li> <li>- Social worker</li> <li>- Parent advocate</li> </ul>	<ul style="list-style-type: none"> <li>- Prepares clients for meetings with the NYC Administration for Children's Services, with aim of preventing foster care / shortening stays when removal cannot be avoided</li> </ul>	<p><b>Preventing removal:</b> 55% of clients avoid foster care altogether</p> <p><b>Cost savings:</b> Estimated \$48M in government savings since 2007</p>
<b>Bronx Defenders Family Defense Practice (Bronx, NY)</b>	2004	Families at risk of or participating in CW investigation	<ul style="list-style-type: none"> <li>- Attorney</li> <li>- Social worker</li> <li>- Parent/peer advocates</li> </ul>	<ul style="list-style-type: none"> <li>- Creates safety plans</li> <li>- Identifies family strengthening services</li> <li>- Identifies relatives and supports</li> <li>- Provides community intake program offering legal advice and social work advocacy</li> </ul>	<p><b>Preventing removal:</b> Of babies born to women involved in child protective services (CPS), only 30% entered foster care at birth, relative to the 65% before their intervention.</p> <p><b>Legal outcomes:</b> Establishment of legal precedents in family court</p>
<b>Center for Family Advocacy (CFA; Detroit)</b>	2009	Children and families in Wayne County, with priority given to economically distressed Osborn community	<ul style="list-style-type: none"> <li>- Multidisciplinary team: attorney, social worker, and family advocate</li> </ul>	<ul style="list-style-type: none"> <li>- In Prevention (prepetition cases), provides legal services: legal guardianships, custody, housing, paternity, public benefits, domestic violence, power of attorney, parking tickets, central registry expunctions, educational advocacy, and divorce judgments</li> </ul>	<p><b>Preventing removal:</b> In a 3-year pilot, none of the 110 Prevention Case children served entered foster care</p> <p><b>Cost savings:</b> Conservative cost savings estimate to CW system of \$1.3M</p> <p><b>Legal outcomes:</b> Achieved legal objectives in 98%+ of preventive cases</p> <p><b>Reducing maltreatment:</b> No CFA-involved cases had another instance of maltreatment cited, in contrast to 8.3% of all CW cases in Michigan</p>

Name of Program	Year Program Began	Participants Served	Service Provider(s)	Services Provided	Outcomes Achieved
<b>Parent Representation Project (Iowa)</b>	2014	Low-income families in four Iowa counties	- Iowa Legal Aid interdisciplinary team: attorney, case manager, parent advocate	- Provides civil legal assistance: custody/guardianship, domestic or sexual abuse protective orders, expungements, unlawful evictions/ substandard housing  - Connects with stabilizing services: mental health or substance abuse counseling, income maintenance, affordable housing, domestic violence advocacy  - Helps navigate the CW system; advocates for families	<b>Preventing removal:</b> In 2018, 62 pre-filing cases were closed and helped 118 children avoid court involvement.  <b>Cost savings:</b> Iowa Legal Aid estimates that for every dollar invested in pre-filing, there is a return to the CW and economy of Iowa of \$4.36.
<b>Oklahoma Legal Aid</b>	2014	Families in 42 counties across Oklahoma	- Oklahoma Legal Aid  - Piloting multidisciplinary team in Tulsa of attorneys, parent managers, and social workers	- Eliminates legal obstacles that increase the risk of children entering or remaining in foster care: divorce, relative placement/ guardianship, and housing issues	<b>Preventing removal:</b> Foster care is prevented for most of the children served by the program  <b>Faster permanency:</b> For those who do enter foster care, time in care is significantly reduced
<b>Family Advocacy Center (King County, Washington)</b>	2016	Families with a legal issue that, if successfully resolved, would prevent placement of a child in foster care, close a CPS investigation, close a Family Assessment Response case, or lead to the dismissal of an ongoing dependency proceeding with no additional intervention or services	- Center for Children & Youth Justice initiative  - Multidisciplinary team: attorney (contracted with Northwest Justice Project), social worker, parent allies (contracted with Parents for Parents)	- Strengthens a caregiver's ability to provide for a child's safety or permanence  - Addresses legal issues: parenting plan, temporary custody order, non-parental or third-party custody, guardianship, paternity, divorce, domestic violence protection order, criminal record clean-up, outstanding warrants, landlord/tenant dispute, public benefits, licensing	<b>Legal outcomes:</b> Legal objectives met in 95% of preventive cases  <b>Cost savings:</b> A conservative estimate of costs avoided was 2:1 compared to foster care placement
<b>Legal Services of New Jersey</b>	2018	Parents and children involved with the Department of C Child Protection and Permanency with child welfare safety concerns rooted in poverty	- Multidisciplinary support: legal advocates, social workers, and a parent ally mentor	- Addresses poverty-rooted child welfare safety concerns, such as housing instability, immigration, healthcare, public benefits	<b>Preventing removal:</b> Of 200+ referrals from across New Jersey as of 2020, no child involved in any prevention case has been removed

Name of Program	Year Program Began	Participants Served	Service Provider(s)	Services Provided	Outcomes Achieved
<b>Snohomish County Family Intervention Response to Stop Trauma (FIRST) (Washington)</b>	2019	Mothers with substance-exposed infants	- Attorneys paired with experienced parent partner	- Provides advocacy for mothers of substance-exposed infants—safety planning, services that might enable family to stay together	<b>Preventing removal:</b> Prevented case filings and removals in most of the ~20 cases in which they have helped develop safety plans and/or alternative legal custody arrangements
<b>Pritzker Pre-Filing Project (California)</b>	2020	Focus on minor parent clients who are themselves in foster care, or those who are specifically referred as needing additional parenthood preparation support; not specific to clients who already have an active child welfare case	- Children's Law Center of California: one attorney, one case manager	- Focuses on mitigating any risk factors that could cause a child welfare referral and will also provide responsive support if needed  - Services include stabilizing placements for youth and baby, obtaining restraining orders in domestic violence situations, ensuring clients' consistency in attending programs and mental health services	<b>Preventing removal:</b> As of July 2021, project has served 168 clients, only three of whom have been separated from their children
<b>Santa Clara Dependency Advocacy Center (California)</b>	2021	Parents must be on formal adult probation with at least one child or be pregnant/ expecting a child with their spouse or partner	- Managing attorney, social worker, two gender-specific parent mentors	- Offers a "warmline" that provides basic advice and support to callers; also serves as an intake line  - Provides more intensive, individualized interdisciplinary support to give legal advice, provide limited services, and some case management from the social worker if the case is voluntary	<b>Legal outcomes:</b> Successfully prevented filings in cases involving domestic violence by counseling clients and helping them obtain restraining orders once a referral was triggered  <b>Preventing removal:</b> Prevented filings in general neglect cases (Limited outcomes, still new)
<b>Texas Rio Grande Legal Aid</b>	2021	Parents who are in the voluntary stage and during investigation with CPS, with focus on prepetition	- Two attorneys with some access to social workers, although not dedicated intake or social worker	Unknown	None reported yet
<b>Greater Boston Legal Services</b>	2021	Focus on domestic violence survivors who are below the poverty line	- One attorney	Unknown	None reported yet

Page intentionally left blank.



## Appendix C: Legal Services Menu



### Office of the Respondent Parents' Counsel (ORPC) Preventive Legal Services

The ORPC is accepting referrals for indigent parents in Jefferson County whose unmet legal needs may be affecting the stability and safety of their children. This is a list of legal services the ORPC may provide to eligible parents:

1. Pre-dependency and neglect filing child welfare advocacy
2. Housing – Referral to Colorado Legal Services (CLS)\*
  - a. Landlord-tenant dispute
  - b. Forcible entry/Unlawful detainer (FED) or eviction
  - c. Non-payment of rent
  - d. Section 8 or publicly subsidized housing
  - e. Habitability
- \*CLS provides either Advice, Brief Services, or Full Representation on these matters and only provides advice to security deposit disputes.*
3. Guardianship (Probate Court)
  - a. Petition for guardianship of a minor
4. Protection Orders
  - a. Civil protection orders
  - b. Mandatory protection orders (MPO) - modifications only
5. APR/Custody Petitions




6. Paternity/Parentage
  - a. Establish legal parentage/paternity
7. Limited Criminal Consultation
  - a. Outstanding warrant
  - b. Assistance obtaining public defender
  - c. Expungement or sealing arrest and criminal records
  - d. De-registration (CO)
8. Immigration Consultation
  - a. VAWA petitions
  - b. U-Visa petitions

**Legal Issues we will not address:**

1. Divorce (\*CLS may provide support around dissolution of marriage if related to domestic violence)
2. Criminal defense representation
3. Employment
4. Civil rights
5. Small Claims Court
6. Private lawsuits

## **Appendix D: JDF 208 Form**

Official form on next pages.

<b>JDF 208</b>	<b>Application for a State Paid Professional (ACTA)</b>		
	County: _____	Division: _____	 Court Use Only 
	Case Number: _____	Courtroom: _____	

Because I (or they) can't afford one, I would like the court to provide a state paid:

☐ Lawyer    
 ☐ *Guardian ad litem*    
 ☐ Court Visitor    
 ☐ Child & Family Investigator

For:     ☐ Me/My Case     or     ☐ Another Party. *(Fill in **their information** in sections 2-8 below.)*

**1. I understand**

- I must fill in **all** blanks. Write “**No**” or “**None**” if a blank doesn't apply.
- The court may charge a \$25 processing fee at the end of the case.
- I/They may have to repay the state for the professional's fees.

**2. Basic Information**

Name: \_\_\_\_\_ Birthdate: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Street Address: *(if different)* \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_  
 Phone number: \_\_\_\_\_ Email: \_\_\_\_\_

**3. Work Information**

Job Title: \_\_\_\_\_ Company: \_\_\_\_\_  
 Work Address: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_  
 Work Phone: \_\_\_\_\_ Length of Employment: \_\_\_\_\_  
 Pay Date(s): \_\_\_\_\_ Hours/Week: \_\_\_\_\_ Pay Rate: \$ \_\_\_\_\_

**4. Case Information**

Next hearing: *(type and date)* \_\_\_\_\_  
 Most serious charge: *(criminal cases only)* \_\_\_\_\_

**5. Household Members**

Status: ☐ Single ☐ Married or Civil Union Partnered  
☐ Separated ☐ Divorced

Number of dependents: *(including yourself)* \_\_\_\_\_.

*Note - Don't list roommates. Only list household members who contribute income to the common support of the home.*

Name	Relationship	Income Before Taxes
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

**6. Monthly Income & Expenses**

Income Before Taxes	\$	Expenses	\$
Mine <i>(wages/salary/commission/tips)</i>	\$ _____	Rent/Mortgage	\$ _____
Household Members	\$ _____	Groceries	\$ _____
Parents <i>(if same household)</i>	\$ _____	Utilities	\$ _____
Unemployment Benefits	\$ _____	Clothing	\$ _____
Social Security/Retirement	\$ _____	Maintenance/Child Support	\$ _____
Maintenance <i>(alimony)</i>	\$ _____	Medical/Dental	\$ _____
Other: _____	\$ _____	Transportation	\$ _____
Other: _____	\$ _____	Loans/Credit Cards	\$ _____
<b>Total Household Income</b>	\$ _____	<b>Total Expenses</b>	\$ _____

7. **What is Owned**

Asset	\$ Value	Description of Asset	\$ Still Owed
Savings Account	\$ _____	Bank Name: _____	
Checking Account	\$ _____	Bank Name: _____	
Vehicle	\$ _____	Year & Model: _____	\$ _____
Vehicle	\$ _____	Year & Model: _____	\$ _____
House	\$ _____	Type: _____	\$ _____
Other Property	\$ _____	Type: _____	\$ _____
Stocks, Bonds, and Mutual Funds	\$ _____	Type: _____	
Other Investments	\$ _____	Type: _____	\$ _____
<b>Total Assets</b>	\$ _____	<b>Convertible to Cash</b>	\$ _____

8. **References**

- 1) Name/Phone/Email: \_\_\_\_\_
- 2) Name/Phone/Email: \_\_\_\_\_

9. **Sign & Date**

I swear that the information contained above is true and complete.

\_\_\_\_\_  
Print Your Name

\_\_\_\_\_  
Your Signature

\_\_\_\_\_  
Date

Staff Use Only:	
<input type="checkbox"/> Above Guidelines	<input type="checkbox"/> At or Below Guidelines
Staff Signature: _____	Date: _____
<input type="checkbox"/> Request Granted	<input type="checkbox"/> Request Denied
Judicial Officer Signature: _____	Date: _____

# Instructions

## 1. Income Before Taxes

Includes income from household members who contribute to the common support of the home.

### Include:

- Wages
- Tips
- Salaries
- Bonuses
- Alimony
- Pensions
- Royalties
- Annuities
- Dividends
- Commissions
- Capital Gains
- Severance Pay
- Trust Income
- Retirement Benefits
- Unemployment Benefits
- Independent Contractor Pay
- Social Security Disability (SSD)
- Social Sec. Supplemental Income (SSI)
- Interest/Investment Earnings
- Worker's Compensation Benefits

**Note:** Don't include income from **roommates**. Only include their incomes if you share bank accounts or commingle funds.

### Do Not Include:

- Food Stamps
- Child Support
- Public Assistance
- TANF Payments
- Subsidized Housing
- Veteran's Disability

## 2. Liquid Assets/ Convertible to Cash

Includes cash on hand or in accounts, stocks, bonds, certificates of deposit, and equity.

This also includes personal property or investments that could be converted into cash without risking your ability to maintain a home and employment.

## 3. Expenses

**Do not include** nonessential items such as cable, streaming services, club memberships, entertainment, dining out, alcohol, cigarettes, etc. Allowable expense categories are listed on the form.

## 4. Attach

You may have to provide the three previous month's bank statements and proof of income (like pay stubs). Don't attach original documents. You may wish to remove financial account and tax identification numbers.

Page intentionally left blank.



## Appendix E: Referral Form Example

### Office of the Respondent Parents' Counsel (ORPC) Preventive Legal Services Referral

The ORPC is providing legal services to indigent parents residing in Jefferson County. If you are a parent who has unmet legal needs that are affecting your family's stability or safety, fill out this short questionnaire to determine your eligibility for legal support. If you are a professional working with the family, you may assist the parent to fill out this questionnaire or obtain consent to make this referral. An ORPC advocate will reach out to the referred parent within 48 hours.

1. Date of this referral: \_\_\_\_\_
2. Parent's First and Last Name: \_\_\_\_\_
3. Parent's Date of Birth: \_\_\_\_\_
4. Does parent reside in Jefferson County? ☐ Yes ☐ No
5. Parent's phone number: \_\_\_\_\_  
Can we text safely on this number? ☐ Yes ☐ No ☐ Unknown  
Can we leave a voicemail safely on this number? ☐ Yes ☐ No ☐ Unknown
6. Parent's home address: \_\_\_\_\_
7. Parent's email address: \_\_\_\_\_  
Can we send mail safely to this address? ☐ Yes ☐ No ☐ Unknown
8. If you are assisting with this form, please include your information here:  
Name: \_\_\_\_\_  
Agency/Title or Relationship: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_
9. For open child welfare cases, what is the parent's assigned Client ID #, if known \_\_\_\_\_  
and what is the Case ID #, if known \_\_\_\_\_
10. For open TANF or benefits cases, what is the parent's CBMS ID#, if known \_\_\_\_\_
11. Which legal issues does the parent have – please check all that apply, even if you are unsure:  
☐ Child welfare case open (non-court involved/voluntary/preventive)  
☐ Housing  
☐ Eviction ☐ Landlord dispute ☐ Non-payment ☐ Habitability ☐ Other  
☐ Child Guardianship (Probate Court)

- ☐ Child Custody (Domestic Relations Court)
- ☐ Protection Order (Civil or Mandatory Criminal)
- ☐ Paternity/Parentage

☐ Immigration

☐ Outstanding warrant or questions about criminal investigations

☐ Other (Please specify): \_\_\_\_\_

12. Are the identified legal needs time sensitive? Examples include a scheduled court appearance or an eviction notice. ☐ Yes: ☐ No

If yes, what is the date: \_\_\_\_\_ and please explain so we can respond in a timely manner:

---



---



---

13. Does the parent qualify for or receive any income-based public benefits like Medicaid, WIC, SNAP, Public Housing or TANF? ☐ Yes ☐ No

14. How many adults (18+) and children (under 18) reside in the parent's home?

Adults: \_\_\_\_ Children: \_\_\_\_

15. What is the approximate household income? (Parent + adults who contribute to support of the home, excluding roommates): \$\_\_\_\_\_/month or \$\_\_\_\_\_/week

16. What are the names of **other adults** who are helping to raise the child **and/or** are residing in the home (for the purpose of assigning an appropriate attorney):

---



---



---

An ORPC advocate will contact the parent to discuss their eligibility for this preventive legal services program. The ORPC advocate will confirm eligibility, explain the process, and answer questions.

If a parent does not receive a response within 48 hours, or if there are further questions, please call 303-731-8770 or e-mail [intake@coloradoorpc.org](mailto:intake@coloradoorpc.org).

## Appendix F: Internal Screening and Eligibility Review Form Example



### Office of the Respondent Parents' Counsel (ORPC) Pre-Filing Program: Internal Screening Form

ORPC Screener Name: Enter text Email: Enter text Date: Enter text

Parent's First and Last Name: Enter text

Referral Source: Enter text

Date of Initial Referral: Enter text

#### Section 1: Is the parent eligible for the pre-filing program?

- ☐ Parent is eligible (complete Section 2)
- ☐ Parent is ineligible (complete Section 3)

#### Section 2: If the parent IS eligible, please complete this section

Preliminary conflict check notes:

Any open or prior cases in RPPS? ☐ Yes ☐ No

If yes, include county and case numbers: Enter text

Names of RPC involved in case: Enter text

Additional information from screening to assist with RPC conflict check (e.g. prior criminal or civil court cases in CO/out of state):

Enter text

Confirmation of indigency determination—to comply with JDF 208 (attach copy, if available)

- ☐ Initial referral confirmed indigency
- ☐ Initial referral did not indicate indigency, include additional information from screening:

Enter text

Other eligibility notes to support a warm handoff to RPC:

Enter text

**Next steps:** please e-mail this document and the original referral form to the PF-RPC, cc [intake@coloradoorpc.org](mailto:intake@coloradoorpc.org), and update the shared Google Drive document. If the matter is time sensitive, please call the RPC to expedite the conflict check and confirm ability to accept.

### **Section 3: If the parent is NOT eligible, please complete this section**

What is the reason the parent is ineligible?

- ☐ Out of county      ☐ Not indigent      ☐ Has legal representation
- ☐ Legal issue outside scope      ☐ Legal problem not affecting family safety

Have you updated the parent with the decision and reason? ☐ Yes ☐ No

**Next steps:** please send this completed form to [intake@coloradoorpc.org](mailto:intake@coloradoorpc.org) and update the shared Google Drive document.

## **Appendix G: Parent Eligibility Contact Script Samples**

### **Parent found ineligible:**

Hello, [parent]. Thank you for your interest in the preventive legal services program. Unfortunately, you do not meet all criteria for our services. In particular, the reason we are unable to move forward with your case is [reason the parent is ineligible, e.g. “you do not live in a county served by this program” or “the needs you have described do not have a legal component].

However, one of the following organizations may be better able to meet your needs. [Leverage personal expertise with local services to direct client toward an organization or department that could be of support].

### **Parent found eligible:**

Hello, [parent]! We wanted to follow up and let you know that we have referred your case to one of our partner attorneys, [Attorney/Firm Name]. You should be hearing from them within the next two days. They will set up a time to talk or meet about your case and determine with you what the most important next steps are.

One of the things your attorney will need from you is a completed form called the JDF 208. It covers some of the same information about your finances that we have already discussed. Don't worry if you're not able to answer all of the questions, but try to consider all of the costs and debts we have discussed when you work through it. It is about three pages long. What is the best way to send it over, email or text? [Confirm contact information.]

If you have any questions before your attorney gets in touch, please feel free to reach back out to me at this number.

Page intentionally left blank.

## Appendix H: Parent Interview Protocol at Case Closure

### Interview Protocol (To be Used Upon Case Closure)

#### *Instructions*

This interview protocol is intended to be used as a guide, with the goals of understanding clients' experiences, how the program has impacted them/their family, and how the program could be improved. Please pick and choose, as needed, from the suggested probes to reach these goals. To help remind parents, please tailor this interview guide to include the names of contractors they worked with, including the name of the attorney and, if applicable, the name of the social worker or parent advocate.

#### *Interview Guide*

My name is \_\_\_\_ and I work for the Office of Respondent Parents' Counsel. I am not calling about your case, I'm calling to invite your feedback on our services. Would you be willing to talk with me for about 10 minutes about your experience with *[insert contractor(s) names, including name of attorney and, if applicable name of social worker or parent advocate]*? I'm asking for your feedback because we've expanded the services in Jeffco and want to know how it's going for parents and how we can improve.

1. Tell me a little bit about your experience with *[contractor(s) name(s)]*.

Potential probes:

- a. [If >1 team member] Who did you work with the most? How did you work with *[name of each contractor]*?
  - b. How did *[contractor(s) name(s)]* work to support you?
  - c. How did *[contractor(s) name(s)]* communicate with you? How did they aim to understand your legal needs? How thorough were they in learning about your situation and needs?
  - d. How did *[contractor(s) name(s)]* engage you and keep you informed throughout the process? How responsive was *[contractor(s) name(s)]*? How comfortable did you feel asking questions about the process?
  - e. To what extent were you listened to? To what extent were you treated with respect? How did *[contractor(s) name(s)]* make you feel throughout the process?
2. What has been the biggest benefit in working with *[contractor(s) name(s)]*?

Potential probes:

- a. Were your legal issues resolved?
  - b. Were you connected to resources that were helpful to you? Do you get access to the resources you need?
  - c. How has the program helped you/your family/your children?
3. What was the biggest challenge you encountered in working with *[contractor(s) name(s)]*?

4. How could we improve the program?

Potential probes:

- a. What could [*contractor(s) name(s)*] have done differently?
  - b. What kind of additional resources could the team have provided?
5. What else do you want to share about your experience?
  6. Can I follow-up with you in about 6 months? We want to make this program available for others and your feedback will be really helpful in helping us do that.



## Appendix I: 6-Month Parent Interview Protocol

### Telephone Interview (To Be Used 6 Months After Case Closure)

#### Instructions

This interview protocol is intended to be implemented as written, to help us better understand program impact. Please read each question (as written) and provide the response options. To help remind parents about their case, please tailor this survey to include the names of contractors they worked with, including the name of the attorney and, if applicable, the name of the social worker or parent advocate, as well as a reminder of the time period and issue area(s) addressed as a part of their case.

#### Interview Guide

My name is \_\_\_\_ and I work for the Office of Respondent Parents' Counsel. I am not calling about your case, I'm calling to invite your feedback on our services. Would you be willing to talk with me for about 10 minutes about your experience with *[insert contractor(s) names, including name of attorney and, if applicable name of social worker or parent advocate]*? I'm asking for your feedback because we've expanded the services in Jeffco and want to know how it's going for parents and how we can improve.

[If they agree to proceed] Great! Our records show that you worked with *[contractor(s) names]* in *[insert time period]* to help address *[insert brief summary of the issue area(s) addressed]*.

Survey Question	Response Options
1. Looking back, did <i>[contractor(s) name(s)]</i> help you solve those issue(s)?	Yes, No, Not Sure
1a. [If yes to question 1] Have you had any challenges with <i>[issue area(s)]</i> since that time?	Yes, No, Not Sure
2. Would you say that the work you did with <i>[contractor(s) name(s)]</i> has had a lasting impact on you and your family?	Yes, No, Not Sure
2a. [If yes to question 2] What impact has it had? 2b. [If no to question 2] Why not?	
3. Has your child (or children) remained in your home?	Yes, No
3a. [If no to question 3] Has your child (or children) remained with family members?	Yes, No
4. Have you/your family had further involvement in the child welfare system since the end of services?	Yes, No
4a. [If yes to question 4] Have you been working with the same attorney/team on your case?	Yes, No, Not Sure
4b. [If yes to question 4a] Has it been beneficial to be able to work with the same attorney/team?	Yes, No, Not Sure
5. Looking back, are you satisfied with the way <i>[contractor(s) name(s)]</i> handled your case?	Yes, No, Not Sure
6. Would you recommend <i>[contractor(s) name(s)]</i> to a friend or family member in need of legal assistance?	Yes, No, Not Sure
7. What could we do to improve our services for parents and families?	
8. Do you have any new needs that we might be able to support you with?	Yes, No
8a. [If yes to question 8] What are those needs?	

Page intentionally left blank