

Identifying Obstacles to Effective Representation

S.B. 222 requires the Task Force to:

Identify the following... The *obstacles* in counties statewide to providing children and parents with legal representation in juvenile court proceedings [and] The *obstacles* in counties statewide to providing legal representation to the Department of Human Services.

S.B. 222 § (3)(f)(C) & (D) (2015) (emphasis added).

The dictionary definition of obstacle is “something that makes it difficult to do something; something that blocks your path; or something that impedes progress.” For the purpose of today’s discussion the Task Force will be asked to identify obstacles that block the path to effective legal representation for children, parents, and the government throughout the life of a dependency case. The Task Force will also be asked to identify what has impeded progress on this issue

Questions to be discussed:

- 1) What is effective representation? What is a working definition of effective representation the Task Force can agree to?
- 2) What makes it difficult for children, parents, the state, and DHS to *access* representation? A. a.
 - a. Systemic obstacles that effect parities’ ability *access* to representation—from the perspective of the client.
 - b. E.g., Language barriers, Delayed appointment, Legislative language
- 3) What makes it difficult for State entities (OPDS and contactors, DOJ, and DAs) to *provide* representation in dependency cases?
 - a. Systemic obstacles that prevent state entities from *providing* representation—from the perspective of the legal service providers or service provider managers.
 - b. E.g., Difficult public safety decisions, Inadequate funding, Legislative language
- 4) This is not the first time that the issue of representation has been assessed in Oregon, what has impeded progress on this issue (or prevented solutions to this issue) in the past?