
Children's Attorneys Project Year-End Report 2022



Executive Summary

The Children's Attorneys Project (CAP) has served and represented children in the child welfare system for over 23 years. Prior to its establishment, children in our dependency system had no voice – no one to advocate for the child in court. Often, the parent accused of abuse or the department was able to secure what they wanted – but the child's viewpoint was not considered. CAP changed that, ensuring that the most important person in the proceeding has a zealous advocate and a voice in their own life. CAP's goal of providing representation and advocacy to children is evident in the numbers served last year and the initiatives that were undertaken.

Children's Attorneys Project 2022	
New kids accepted 2022	1,957
Total kids represented by attorneys (includes new and previous years cases)	4,837
CAP & Pro Bono Adoptions	590
CAP Appeals	4
Staff total annual clients served	5,431
Pro Bono CAP 2022	
New kids accepted 2022	322
Total kids represented by pro bono attorneys (includes new and previous years cases)	1,400
Pro Bono total annual clients served	1,400
Total kids represented 2022	6,831

Accomplishments

Fought for Rules of Conduct for children's attorneys in Nevada to be adopted

Last year, CAP drafted and introduced proposed rules of conduct for lawyers representing children in foster care in Nevada. A recent unpublished opinion from Nevada Supreme Court highlighted the need for Rules of Conduct for children's lawyers. These rules were deemed necessary to ensure that children in care have competent, well-trained, client-directed, attorneys with reasonable caseloads representing them throughout the court proceedings.

After drafting the Rules the year before, CAP continued its push to make the Rules a reality in Nevada in 2022. CAP met with various stakeholders and garnered local, state, and national support from the State Bar of Nevada, Northern Nevada Legal Aid, Nevada's ABA delegates,

the National Association for the Counsel of Children, and the ABA Center of Children and Law. CAP also presented twice before the Nevada Supreme Court on passage of the Rules.

CAP's hard work paid off - the [Rules of Conduct for Children's Attorneys](#) were approved by the Nevada Supreme Court in October 2022, and they became effective January 1, 2023.

Tackled the high needs and mental health crisis in Nevada

Nevada's children continue to face a mental health crisis - Nevada ranked dead last for the sixth year in a row in the annual Mental Health America report. Being last means our children have a higher prevalence of mental illness and a lower rate of access to care than children and youth in other states. It also means foster children are relegated to extended stays in local emergency rooms, juvenile detention, and out-of-state locked psychiatric facilities due to lack of appropriate services and homes in Nevada.

With children's mental health at the top of its agenda, the Children's Attorneys Project created a new specialized position – Mental Health Initiatives Manager – filled by [Kimberly Abbott](#). The Mental Health Initiatives Manager is tasked with identifying and advocating for creative solutions in improving children's mental health services in Nevada. She continues to collaborate with the Division of Child and Family Services (DCFS), the Department of Family Services, the District Attorney's Office, and the Clark County Children's Mental Health Consortium.

The Mental Health Initiatives Manager also leads CAP's internal High Needs Initiative Workgroup to address youth with high needs who are being denied appropriate placements and services.

Hosted Legal Aid Center of Southern Nevada's inaugural Diversity and Justice Fellow

In 2021, the State Bar of Nevada awarded funds to the Legal Aid Center of Southern Nevada for a two-year Summer Diversity and Justice Fellowship Program. The goal of the fellowship is to encourage law students who are minorities and/or from diverse backgrounds who plan to practice in Nevada to explore careers in public interest law. CAP hosted Legal Aid's inaugural Diversity and Justice Fellow – Danielle - this summer. Danielle was a rising second-year law student from UNLV's Boyd School of Law.

In hosting the Diversity Fellow, CAP sought to bring and highlight diversity within the team and identify diversity initiatives in our local child welfare system. The Fellow created a staff survey addressing individuality, heritage and culture; proposed various solutions and initiatives for management; and developed internal resource guides identifying culture and ethnicity based-resources in Las Vegas for CAP's attorneys. Finally, the Fellow created a virtual library on diversity and raced-based initiatives specific to child welfare.

Presented at the NACC National Conference on-line and in Baltimore, Maryland

CAP was recognized as the inaugural Outstanding Children's Law Office in 2019 by the National Association of Counsel for Children (NACC). The award recognized CAP's excellence in legal representation and services in Nevada and for making significant contributions to the rights and well-being of children in foster care through advocacy and community engagement.

In line with its national reputation, CAP presented twice at the NACC's 2022 In-person and Virtual National Conferences. The in-person presentation occurred in Baltimore, Maryland and focused on evaluating conflicts of interest in child welfare cases. Attendees learned how to evaluate conflicts between current, former, and prospective clients, and how to issue-spot potential conflicts between siblings. The on-line presentation focused on advanced advocacy techniques in achieving clients' goals and directives.

Finally, CAP received a special invitation from the NACC to present at its post-conference targeted for states that have a limited or no right to counsel for children – Washington, Idaho, Montana, North Dakota, Michigan, Illinois, Indiana, Maine, New Hampshire, South Carolina, Hawaii, and Alaska. CAP shared its expertise and benefits of having a centralized children's law office.

Ongoing Growth and Training

The Children's Attorneys Project added 12 new staff members to its team in 2022 including: seven attorneys, one legal advocate, and four legal assistants. In addition to CAP's on-boarding training, staff attorneys presented and produced nearly twenty hours of in-person and virtual CLE trainings in 2022.

For pro bono volunteers, CAP presented eight, two-hour introductory trainings, providing new volunteers with an overview of child welfare law in Nevada and guidance on using the client-directed model of representation. CAP also presented four substantive classes for staff and volunteer attorneys on various topics, including advanced representation techniques, mental health, and ethics. Finally, CAP held two support luncheons and four "COFFEE with CAP" meetings for volunteers.

As part of a special training for CAP staff, twenty attorneys and advocates participated in a 6-hour trauma-informed training on Trust-Based Relational Intervention® (TBRI®) through Raise the Future. TBRI®I is a trauma-informed training on children who have faced abuse, neglect, and/or other trauma.

Success Story

Annie*

Annie is a 13-year-old who is living with fictive kin and loves her placement. She wants to be adopted and the adoption date was set for 4 weeks prior to her 14th birthday.

Annie's CAP attorney went to see her and informed her that her college tuition is available to her if she is adopted **after** her 14th birthday. Client informed her attorney that she has plans to be a lawyer and tuition would certainly be beneficial to her.

After several telephone calls and meeting with all parties, the CAP attorney was able to change the adoption date until after her 14th birthday. She was adopted after her birthday and is now eligible for free in-state tuition to college. She is thrilled!

**Names changed to protect client's confidentiality.*