

Agenda

Training

Date of Training: October 26, 2016
Place: Davidson County Juv. Ct.
Courtroom D

Training called by: JJ Group
Presenters: Beth Cruz, J.D. and
Carrie Mason, J.D.

CLE Agenda

Facilitator:
Stacy Miller, Asst. Dist. Attorney

Time: 11:15 a.m. to 12:45 p.m.
October 26, 2016

Attendees: Attorneys who represent
juveniles, court staff, and judge's staff

Sponsored by the Davidson County Juvenile Court and the
Tennessee Administrative Office of the Courts, Court Improvement Program

Special Education Issues Being an Effective Advocate for all our Youth

Part 1:

Framing our discussion

- a. What is the purpose of the Federal Special Education Law?
- b. What is the new "Every Student Succeeds Act"?
- c. What are the benefits to your client – the parent or the child?

Part II :

Rights:

- a. What are the child's rights?
- b. What are the parent's rights?
- c. What are the rights of each when DCS is involved?
- d. What documents insure that the rights of the student are protected?
- e. What if a child does not qualify for special education services – do they have rights?

Part III :

Ethical concerns and implications

- a. Rule 1.0 'The Client-Lawyer Relationship' – who exactly is your client – what is your role? GAL or Child's attorney?
- b. Rule 1.1 Competence – do you need a special education certification to be competent to handle these cases?
- c. Rule 1.3 Diligence – how deeply do you need to look into these issues?
- d. Rule 1.6 Confidentiality – how much can you share with the school or other entities?
- e. Rule 1.14 – What if your client is unable to aid in their defense – 'Client Under a Disability'?

Part IV :

Case Example and Discussion – In your assigned role, how would you advocate for your client?

Conclusion and Questions

Part Two: February 22, 2017