

Part 1: Lawyer Information

- Last Name, First Name:*
- Alberta Year of Call:*
- Firm Name:*
- Mobile Number:*
- Email Address:*
- Primary Language:*
- Secondary Language: *
- Primary Court Location:*

Part 2: Panel Competencies

Legal Aid Alberta (“LAA”) has developed Child Welfare Standards and Child Welfare Roster Panel Competencies for lawyers on the LAA Child Welfare Panel, who will be eligible to receive child welfare certificates. LAA invites applications from lawyers who have been practicing for a minimum of 3 years with approximately 33% of their practice in the area of child welfare law. Lawyers practicing in rural locations where child welfare files are not as prevalent may be considered even if they do not meet the 33% requirement. To be considered for the panel, you must have been counsel on record for a parent on child welfare matters in Alberta and have conducted at least 10 LAA certificates or the equivalent number of private retainer child welfare files in the last 3 years to completion involving contested trials and/or contested hearings and have:

- i. prepared for and/or conducted at least 3 contested initial custody or access hearings,
- ii. participated in at least 3 Judicial Dispute Resolutions (if utilized in your jurisdiction),
- iii. prepared for and/or conducted at least 2 temporary guardianship trials,
- iv. prepared for and/or conducted at least 3 permanent guardianship trials.

Competency #1: Significant knowledge of, and experience in, child welfare proceedings under the Child, Youth Family Enhancement Act (hereinafter referred to as “CYFEA”), the CYFEA Regulations and Children Services Enhancement Act Policy Manual including the case law in the reading list attached as Appendix A to the Child Welfare Standards.

In addition, counsel must have a good understanding of the interplay between CYFEA and the *Family Law Act* as it relates to private guardianship, guardianship, and other parenting arrangements. A strong knowledge of the rules of evidence is necessary as it relates to running a child welfare trial. Counsel should have experience in conducting all aspects of a child welfare file from running initial custody and/or access hearings, negotiating resolutions to conducting a child welfare trial.

1.1. Approximately how much of your practice is devoted to family law, and more specifically, how much of your practice is devoted to child welfare law? Approximately how many child welfare files have you had carriage of over the last three years?

1.2. Describe how you have demonstrated your aptitude or experience in representing parents in child welfare matters. Provide specifics as to how you meet this core competency regarding your knowledge and experience in CYFEEA matters, highlighting specifics regarding the requirements i-iv listed above, without disclosing client confidential information.

1.3. Summarize any training seminars or other continuing legal education programs that you have attended that relate to child welfare matters in the last 3 years. Highlight any speaking engagements that you have presented on child welfare topics or mentoring you did of junior lawyers.

Competency #2: Specific training and experience in representation of Indigenous individuals in child protection matters.

Applicants must demonstrate an appreciation of the challenges faced by Indigenous individuals in the child protection and criminal justice system. Lawyers must have a deep understanding of the issues faced by Indigenous peoples and the continuing impacts that colonialism plays in their families' lives. Familiarity with *An Act Respecting First Nations, Inuit and Métis Children, Youth and Families* including the caselaw in the reading list attached as Appendix A to the Child Welfare Standards, the United Nation Declaration on the Rights of Indigenous People, the Truth and Reconciliation Commission's Recommendations, the Missing and Murdered Indigenous Women and Girls Inquiry's Call to Justice and the Office of the Child and Youth Advocate Special Report on the Overrepresentation of Indigenous children in the child welfare system in Alberta is required.

2.1. Describe the ways you demonstrate this competency by

- (a) listing training seminars or other continuing legal education the lawyer has undertaken in relation to cultural competency or *An Act Respecting*,
- (b) estimating how many child welfare files you have handled over the past three years where the clients have been Indigenous and they have made arguments under *An Act Respecting* regarding these sources,
- (c) by describing some child welfare cases you have been involved in advocating the provisions in *An Act Respecting* regarding the best interest of Indigenous children, minimum standards under the Act and/or placement issues for Indigenous children or,
- (d) any other related work including committee involvement to promote the Indigenous families.

Competency #3: Strong communication, problem solving, conflict management, resolution focused and negotiation skills in working with families involved in high conflict child protection litigation.

This includes, for example, interest or experience working with clients from Indigenous and marginalized communities, newcomers to Canada, families who are experiencing domestic violence, poverty, addiction, or other issues that have caused them to come into contact with the child welfare system. Experience in working with and navigating parents with mental health and addictions is required.

3.1. Describe the experience you have in working with and navigating parents with mental health and addictions. List any training seminars or other continuing legal education you have undertaken in relation to trauma informed practice, negotiations, child welfare mediation, healing circles, restorative justice initiatives, and/or any of the issues listed above that may cause parents to come into contact with Children's Services.

3.2 Describe your familiarity with the agencies and programs that serve families involved in the child welfare system to assist clients who have parenting struggles, mental health, addiction issues or involvement with family violence. Highlight any related training have you attended.

Competency #4: A commitment to training and continuing legal education in the specific area of child protection.

Child Welfare Panel lawyers are expected to seek out continuing legal education opportunities relevant to the competencies listed above and complete at least 6 hours per year of professional continuing education in the area of child protection. **Failure to complete the CPD requirement each year and provide proof of same to the LAA Child Welfare Panel administrator may result in removal from the panel.**

4.1. How do you plan on meeting this requirement for 6 hours of legal education in the area of child welfare?

Part 3: Explaining Your Interest in the Panel

Why are you interested in being on the Child Welfare Panel? Is there anything else you want LAA to know when considering your application?

If you have been practicing child welfare law for more than ten years, would you be willing to be a mentor for a junior lawyer to be able to ask questions and provide shadowing opportunities? Please elaborate on your interest in mentoring?

If you have not been practicing child welfare law for a minimum of three years with approximately 33% of the practice in Alberta being child protection work, you will be required to work with a mentor to gain hands-on experience in child welfare matters for one year prior to applying to be on the panel.

The Mentorship must at a minimum include:

- a) shadowing on at least five client interviews,
- b) shadowing or speaking to at least ten matters in child welfare docket,
- c) shadow and attend at least two initial custody or access hearings,
- d) shadow and attend at least one JDR's (if utilized in your jurisdiction),
- e) shadow and attend a minimum of one TGO trial,
- f) shadow and attend a minimum of one full PGO trial.

The junior lawyer and the child welfare mentor must formalize the mentorship arrangement in writing. The lawyer with less than 3 years of active practice in child welfare must keep track of their mentoring hours with timesheets describing in detail what they have done or observed with the Mentor. The timesheets must be in compliance with the guidelines for timesheets in LAA Administrative policy regarding timesheet records. This information must be co-signed by the mentor to verify the mentorship hours and experiences have been completed and attach same to the Child Welfare Panel application.

Part 4: References

Please provide up to two references who can comment on your interest, aptitude, and experience in the areas mentioned above. If you name any references, LAA may contact them for their confidential opinion about your competencies and your suitability for this panel. LAA may choose not to contact your references.

Reference #1

Name:

Phone number:

Email address:

Relationship:

Reference #2

Name:

Phone number:

Email address:

Relationship:

Part 5: CV/Resume

Please attach a copy of your CV/Resume for LAA to review with this application.

Part 6: Declarations

- * I have read the Child Welfare Standards and the Child Welfare Roster Panel Competencies. I certify that all information I have provided to LAA as part of this application is accurate. I acknowledge that LAA will use this information to evaluate my application in accordance with LAA policies. I give LAA permission to make confidential inquiries about my competencies to the references I have listed above. I agree that any information provided by these references will only be used to evaluate my suitability for this panel and I agree that LAA may keep this information confidential from me.
- * I confirm and acknowledge that I have read the Child Welfare Standards including the Mandatory reading list and, if accepted on to the panel, will execute an Attestation regarding same, a sample of which is attached as Schedule A.

Instructions To Submit

Please save this form and submit the completed PDF (and any attachments) by email to: childwelfarepanel@legalaid.ab.ca . The deadline for submitting this form can be found on the [LAA website](#). We cannot accept applications received after the deadline. You will be informed of the results of your application by email in due course which may include your selection for an interview for the panel.