To: Members of the National Association of Counsel for Children  
From: Kim Dvorchak, JD, Executive Director  
Date: December 19, 2019, updated January 5, 2020  
Re: Request for Comments regarding NACC’s Recommendations for Representation of Children in Abuse and Neglect Cases

The development and dissemination of standards of practice and recommendations for children’s legal representation is essential to ensuring the highest quality advocacy and providing guidance to the field of child welfare law. In 2001, NACC adopted Recommendations for Representation of Children in Abuse and Neglect Cases (Recommendations). The Recommendations cover various standards and best practices, including attorney competency, caseloads, duties of children’s counsel, and models of representation. The Recommendations followed the promulgation of the NACC Revised American Bar Association (ABA) Standards of Practice for Lawyers Who Represent Children in Abuse and Neglect Cases.1

Over nearly two decades, the Recommendations and Standards have served as best practice resources for designing dependency legal services delivery systems and have been cited to extensively in courts, legislatures, and executive agencies, across local, state and federal government. During this time, the National Quality Improvement Center for Representation of Children in the Child Welfare System developed the QIC-ChildRep Best Practice Model of Representation2, the ABA adopted the Model Act Governing the Representation of Children in Abuse, Neglect, and Dependency Proceedings3, and NACC endorsed the ABA Model Act.

With the landmark opportunity to obtain federal funding for children’s legal representation through Title IV-E expansion, this is an important moment to provide agencies and courts relevant, clear and concise guidance as they further develop and enhance children’s legal representation systems. Given the passage of time and changes in law and practice, it is imperative NACC conduct a review and revision of its Recommendations.

We initiate this process by soliciting input from NACC’s most important resource: our members and persons with lived experience in the foster care system. The NACC Community is comprised of committed child welfare professionals whose expertise, knowledge, and skill will help inform and shape potential revisions to the Recommendations. Members are invited to submit comments addressing the document in its entirety or specific aspects (for example, as caseloads, supervision, training, certification, multidisciplinary practice, timing and continuity of appointment, confidentiality, client engagement, and models of representation). NACC also strongly encourages people with lived experience in the foster care system to submit comments to inform what high-quality lawyering should and could look like.

NACC members in good standing and persons with lived experience in foster care are invited to submit letters of up to six (6) pages in length (including attachments) to Policy@NACCchildlaw.org no later than February 18, 2020. All submissions will be reviewed and considered by NACC’s Board Policy Committee and Staff. NACC will release updated Recommendations upon adoption by the Board of Directors in 2020. If you have any questions please contact NACC’s Legal Director Allison Green, JD, CWLS, Allison.Green@NACCchildlaw.org. Thank you for being a part of the NACC community. Together, we are Promoting Excellence, Building Community, and Advancing Justice.

1 NACC Revised ABA Standards of Practice for Lawyers who Represent Children in Abuse and Neglect Cases.  
2 QIC Best Practice Model of Child Representation.  