

# CHECKLIST

## Addressing Special Advocacy Issues

### Substance abuse

- Be discerning about when and how much information you share with the court regarding your client's substance abuse issues.
- Urge your client to speak openly with you about his history of substance abuse problems so you can advance his goals and advocate for proper treatment.
- Be mindful of statutory timelines and promptly identify appropriate treatment and services.
- Even if the evidence of abuse is unassailable, challenge the agency's attempts to tie the father's substance abuse to his parental fitness.

### Mental health concerns

- Ask your client to sign releases to allow you to speak with his mental health care providers. Remind him of attorney-client privileges.
- Ensure greater confidentiality by seeking services from a local mental health clinic rather than through the court clinic.
- Only request a guardian ad litem (GAL) for your father client in extraordinary circumstances when his capacity to make significant decisions is truly diminished. Be sure to have the court clearly define the GAL's role so that it does not supplant or undermine the father's stated wishes or goals for the case.

### Domestic violence allegations

- Investigate allegations of domestic violence by interviewing law enforcement, agency workers, and the mother (if counsel will allow) and reviewing documentary evidence carefully. Determine the source of the allegations and whether they are true.

- Explain to your client whether domestic violence evaluations are confidential. Help him weigh the benefits of cooperating with case plan goals.
- If your client decides to challenge the agency's allegations, provide the agency and court exculpatory evidence and favorable information as soon as possible.

### Immigration concerns

- Consult an immigration lawyer or specialist for assistance.
- Counsel your client on whether going to court may negatively impact his situation if there is an outstanding immigration detainer.

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