

What about client confidentiality?

It does not violate client confidentiality to discuss with another attorney, *in general terms and without providing any identifying information*, systemic issues that arise in your cases. Likewise, you do not need your client's permission to receive general research assistance or resources from Appleseed on such issues. Furthermore, so long as you do not provide any identifying information, attorney-client privilege is not waived.

However, if after discussion we jointly determine that Appleseed may become *specifically* involved in a case (e.g., as co-counsel, appellate counsel, briefing, etc.), you must first obtain your client's permission. Appleseed will provide you with a release for your client to sign.

If you are a guardian ad litem, the confidentiality rules become more complex. In those instances, we will discuss how to uphold confidentiality on a case-by-case basis.

Appleseed will at all times maintain the utmost respect for client confidentiality and your obligations to your individual clients.

Whom do I contact and how do I get involved?

Foster Care Reform Legal Resource Center Listserv:

To join the Foster Care Reform Legal Resource Center Listserv, go to www.neappleseed.org/lrc. Appleseed will send a "monthly update," highlighting child welfare case law, policy and legislative developments, and foster care reform issues. The updates will mainly

focus on Nebraska juvenile court practice, but will from time to time feature successful reform or relevant case law developments in other states. We also encourage list members to use the list to communicate with one another about issues and challenges that arise in their juvenile court practices.

Information and resources will be posted on our websites:

www.NeAppleseed.org
www.NeEqualJustice.org

Contact:

We invite you to contact the Foster Care Reform Legal Resource Center to discuss systemic issues that arise in your juvenile court practice.

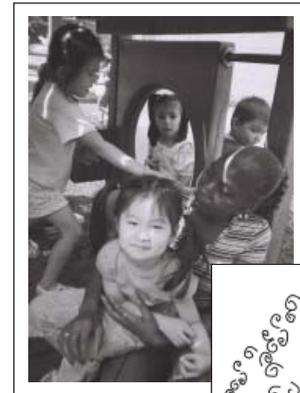
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The photos are from Nebraska Appleseed's grassroots photography project, "Reality at the Roots." See the complete exhibit at www.neappleseed.org/roots.



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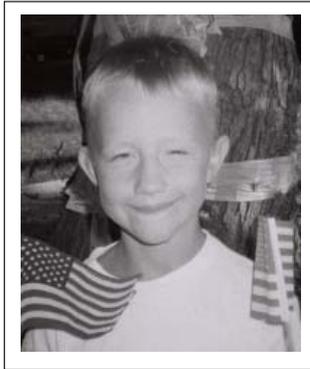
Foster Care Reform LEGAL RESOURCE CENTER



A project of Nebraska Appleseed's
Child Welfare System Accountability Program

Who is Nebraska Appleseed?

The Nebraska Appleseed Center for Law in the Public Interest is a statewide non-profit, non-partisan law project focused on advancing policies and practices that promote self-sufficiency for Nebraska's working poor families, promote the integration and participation of



immigrant populations in communities across Nebraska, provide safe and adequate child welfare services to children who need protection, increase low-income people's access to the legal system and support democracy by

removing barriers to low-income people's participation in the electoral and public policy decision-making processes. Nebraska Appleseed fills a major gap in our justice system -- a means to address problems at their roots rather than the symptoms

What is the Child Welfare System Accountability Program?

The Child Welfare System Accountability Program (CWSAP) was formed in 2004 in direct response to the haunting reality that the State of Nebraska's child welfare system is far too often failing the thousands of children and families it was meant to help - and faces little to no direct accountability for its failure to act. The project is focusing on enforcing constitutional, federal, and state statutory requirements for providing adequate child protection services in the State of Nebraska, and using this legal advocacy to support and complement highly needed policy reform initiatives. In particular, we are focused on advocacy involving the following priority areas: adequate services, placements, and resources, and

rights of non-English speaking and Native American families.



The project is also involved in major class action litigation, *Carson P. v. Heineman*, to vindicate the constitutional and statutory rights of children in foster care. Among the underlying systemic issues this litigation is addressing:

- Nebraska has the largest number of children in out-of-home placement per capita in the nation;
- Nebraska's rate of adoption and finding permanent homes for these children is one of the lowest in the nation; and
- Nebraska allows an above-average number of children to linger indefinitely in foster care, regularly moving from one (often inadequate) placement to another.

What is the Foster Care Reform Legal Resource Center?

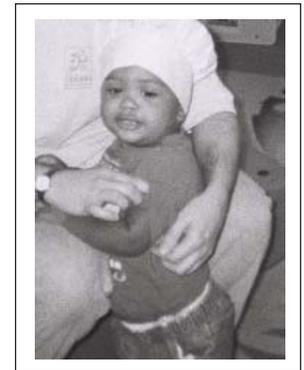
By and large practitioners are unable to take on the systemic issues they see daily in their practices; their resources must be and should be directed to addressing the immediate needs of their clients. Nevertheless, the same issues arise in case after case and affect client after client, child after child. Through the Foster Care Reform Legal Resource Center, Nebraska Appleseed – with its ten-year history of targeting reform at its roots – can assist “on-the-ground” practitioners (guardians ad litem and counsel representing biological or adoptive parents) in addressing these issues.

The goal of the Foster Care Reform Legal Resource Center is to engage the lawyers dealing with thousands of individual cases, by helping them enforce constitutional and statutory rights and connect the legal and policy issues they see daily with reform.

How can the Legal Resource Center help me in my juvenile court practice?

The Foster Care Reform Legal Resource Center can assist you with the following:

- Legal research on constitutional or statutory issues implicating *systemic* issues in the system
- Co-counseling, intervention, and development of amicus briefs in *selected* cases involving *systemic* policy issues
- Information on child welfare reform that is occurring across the state, including case law and legislative developments
- Nebraska child welfare listserv featuring monthly updates and the opportunity to dialogue with other juvenile lawyers across the state on issues faced in your practice



In the future, the legal resource center will also provide:

- Resources including sample pleadings and briefs
- Collaborative trainings

Note: The mission of Nebraska Appleseed is to address policies and systemic issues facing low-income Nebraskans. Therefore, the Foster Care Reform Legal Resource Center is only able to provide assistance on cases that involve systemic issues in the child welfare system that are within our expertise and resources to address.