

STATE OF OHIO STANDARDS OF REPRESENTATION OF CLIENTS IN JUVENILE DELINQUENCY CASES

The Standards below recognize that attorneys practicing in juvenile delinquency and status offender cases require specialized skills and knowledge to assure quality legal representation for young clients who are the subjects of a delinquency complaint.¹

The purpose of these standards is to provide juvenile defense attorneys with a general guide to appropriate and diligent advocacy on behalf of clients involved in delinquency proceedings in Ohio.

Training and experience of Juvenile Defense Counsel

Counsel who undertake the representation of a client in a juvenile delinquency proceeding shall have the adequate knowledge and experience necessary to represent a child diligently and effectively.²

Counsel should consider working with an experienced juvenile delinquency practitioner as a mentor when beginning to represent clients in delinquency cases.

At a minimum, counsel should attend 12 hours of CLE relevant to juvenile defense biannually.

Counsel shall familiarize themselves with Ohio statutes relating to delinquency proceedings as well as the Ohio Rules of Juvenile Procedure, Ohio Rules of Criminal Procedure, Ohio Rules of Evidence, Ohio Rules of Appellate Procedure, relevant case law, and any relevant local court rules. Counsel should be knowledgeable about and seek ongoing formal and informal training in the following areas³:

¹ *Ten Core Principles for Providing Quality Delinquency Representation Through Indigent Defense Delivery Systems*, American Council of Chief Defenders National Juvenile Defender Center, Principle 2, January 2005. “The indigent defense delivery system recognizes that legal representation of children is a specialized area of the law.”

² *Id.*, Principle 7B. “The indigent defense delivery system recognizes juvenile delinquency defense as a specialty that requires continuous training in unique areas of the law.”; *See also*, *National Council of Juvenile and Family Court Judges Juvenile Delinquency Guidelines*, Key Principle 7, March 2005, at p. 25 and 30, “Alleged and adjudicated delinquent youth must be represented by well trained attorneys with cultural understanding ...” and “Whether performed by a public defender or the private bar counsel for youth is responsible to: Be an advocate, zealously asserting the client’s position under the rules of the adversary system; Be an experienced attorney in order to provide effective legal assistance. The representation of youth in juvenile delinquency court should not be an entry-level position that eventually graduates attorneys to other areas of defense work. Counsel for youth should have a particular interest in youth and family systems, focus on juvenile law, and be trained in the development, education, substance abuse and mental health of youth. They should be selected on the basis of their skill and competence...”

³ *Supra* note 2 at p. 78, “Qualified counsel has an understanding of child development principles, cultural differences, mental health, trauma, mental retardation, and maturity issues that relate to juvenile competency to stand trial issues; treatment options that could serve as effective alternatives to detention; and special needs issues including prior victimization and educational needs. Qualified counsel understands juvenile delinquency court process and knows enough about disposition resources to advocate for a disposition response that will meet the youth’s needs.”

- A) Competency and Developmental Issues
 - 1. Child and adolescent development
 - 2. Brain development
 - 3. Mental health issues, common childhood diagnoses and other disabilities
 - 4. Competency issues and the filing and processing of motion for competency evaluations
- B) Attorney/Client Interaction
 - 1. Interviewing and communication techniques for interviewing and communicating with children, including police interrogations and *Miranda* considerations
 - 2. Ethical issues surrounding the representation of children and awareness of the role of the attorney
 - 3. Awareness of the role of the attorney vs. the role of the guardian ad litem, including knowledge of how to work with a guardian ad litem
- C) Department of Youth Services/Other State and Local Programs
 - 1. Diversion services available through the court and probation
 - 2. The child welfare system and services offered by the child welfare system
 - 3. Ohio Department of Youth Services facility operations, release authority and parole policies
 - 4. Community resources and service providers for children and all alternatives to incarceration available in the community for children
 - 5. Intake, programming and education policies of local detention facility
 - 6. Probation department policies and practices
 - 7. Gender specific programming available in the community
- D) Specific Areas of Concern
 - 1. Police interrogation techniques and *Miranda* consideration, as well as other Fourth, Fifth and Sixth Amendment issues as they relate to children and adolescents
 - 2. Substance abuse issues in children and adolescents
 - 3. Special education laws, rights and remedies
 - 4. Cultural diversity
 - 5. Immigration issues regarding children
 - 6. Gang involvement and activity
 - 7. School related conduct and zero tolerance policies (“school to prison pipeline” research, search and seizure issues in the school setting)
 - 8. What factors lead children to delinquent behaviors
 - 9. Signs of abuse and/or neglect
 - 10. Issues pertaining to status offenders
 - 11. Scientific technologies and evidence collection

Caseload

Counsel should not carry a workload that by reason of its excessive size or representation requirements interfere with the rendering of quality legal service, endangers the juvenile’s interest in the speedy disposition of charges or risks breach of professional obligations.⁴ Before

⁴ *Supra* note 1, Principle 5 A, “The workload of indigent defenders, including appointed and other work, should never be so large as to interfere with the rendering of zealous advocacy or continuing client contact nor should it

agreeing to act as counsel or accepting appointment by a court, counsel has an obligation to make sure that he or she has sufficient time, knowledge, experience and will pursue adequate resources to offer quality legal services in a particular matter. If after accepting an appointment counsel finds he or she is unable to continue effective representation counsel should consider appropriate case law and ethical standards in deciding whether to move to withdraw or take other appropriate action.

Review of the Complaint

Counsel shall carefully read the complaint and be knowledgeable of:

- A) the elements of each offense charged;
- B) the penalties for each possible adjudication/conviction of the client including all enhancements;
- C) all possible defenses and affirmative defenses, and;
- D) any lesser included offenses that may be available.
- E) the collateral consequences attaching to any possible sentencing, for example parole or probation revocation, immigration consequences, sex offender registration and reporting provisions, loss of driving privileges, DNA collection, school suspension or expulsion, consequences on public housing etc.;

Counsel shall review the complaint for any defects.

Meeting with the client

Counsel shall make every effort to conduct a face-to-face interview with the client as soon as practicable and sufficiently in advance of any court proceedings. In cases where the client is detained or in custody counsel should make efforts to visit with the client within 24-48 hours after receiving the appointment.⁵

Counsel shall interview the client in a setting that is conducive to maintaining the confidentiality of communications between attorney and client.⁶

Counsel shall maintain ongoing communications and/or meetings with the client, which are essential to establishing a relationship of trust between the attorney and client.⁷

lead to the breach of ethical obligations.” See also, *IJA-ABA Standards Relating to Counsel for Private Parties* 2.2(b)(iv) “It is the responsibility of every defender office to ensure that its personnel can offer prompt, full and effective counseling and representation to each client. A defender office should not accept more assignments than its staff can adequately discharge.”; and *Supra* note 2, Key Principle 7, at p.25, “Youth Charged in the Formal Juvenile Delinquency Court Must Have Qualified and Adequately Compensated Legal Representation- Alleged and adjudicated delinquent youth must be represented by well trained attorneys with cultural understanding and manageable caseloads.”

⁵ *Supra* note 4, Standard 4.2(a), at p. 80, “The lawyer should confer with a client without delay...” and Standard 4.1 at p.80, “Many important rights of clients involved in juvenile court proceedings can be protected only by prompt advice and action. Lawyers should immediately inform clients of their rights and pursue any investigatory or procedural steps necessary to protection of their clients’ interests.”

⁶ *IJA-ABA Juvenile Justice Standards Annotated* 6.14, at p.27, “Secure detention facilities should have interview rooms for residents to meet privately with attorneys...”

Counsel shall provide their client with a method to reach their office including information on calling collect from facilities if appropriate.

Counsel shall utilize the assistance of an interpreter as necessary. Counsel should seek funding for such interpretation services from the court.⁸

Counsel should work cooperatively with the parents, guardian, and/or other person with custody of the child to the extent possible without jeopardizing the legal interests of the child. This shall be done only with the knowing consent of the child and the attorney must represent the child's expressed interests and not those of the child's parent or guardian.⁹

Role of the Defense Counsel

The principal duty of the attorney representing a youth in a juvenile delinquency proceeding is to diligently advocate for the child's expressed interests, and must not substitute counsel's own judgment.¹⁰

Counsel shall advocate for the client's expressed interest and should not substitute counsel's own judgment for that of their client. Counsel shall fully advise their client as to the probable success and possible consequences of the client's possible position, shall provide alternatives when available, and provide the client all necessary information to allow the client to make a fully informed decision.¹¹

If, after fully counseling and conferring with the client, the attorney believes the child is not capable of exercising appropriate and reasoned judgment on his or her own behalf, counsel should consider, and if appropriate, consult with their client regarding moving the court for a guardian ad litem to be appointed to represent the client's best interest.¹²

⁷ *Supra* note 4, Standard 3.3(a), at p.78, "Counsel should seek from the outset to establish a relationship of trust and confidence with the client; and Standard 3.5, at p.79, "The lawyer has a duty to keep the client informed of the developments in the case, and of the lawyer's efforts and progress with respect to all phases of representation."

⁸ *Supra* note 6, Standard 2.7 (C) "When the respondent is incapable of speaking or of speaking in a language understood by respondent's attorney, an interpreter who can understand the respondent should be appointed by the judge of the juvenile court and compensated from public funds to interpret communications from the respondent to the respondent's attorney."

⁹ *Preamble, Ten Core Principles for Providing Quality Delinquency Representation Through Indigent Defense Delivery Systems* "The Indigent Defense Delivery System must emphasize that it is the obligation of juvenile defense counsel to maximize each client's participation in his or her own case in order to ensure that the client understands the court process and to facilitate the most informed decision making by the client."

¹⁰ *Supra* note 4, Standard 3.1(a) "...the lawyer's principal duty is the representation of the client's legitimate interests."

¹¹ *Id.*, Standard 3.1(b)(ii)[a] "Counsel for the respondent in a delinquency proceeding...should ordinarily be bound by the client's definition of his or her interests with respect to admission or denial of the facts or conditions alleged. It is appropriate and desirable for counsel to advise the client concerning the probable success and consequences of adopting any posture with respect to those proceedings."

¹² Ohio Rules of Prof'l Conduct R. 1.14(a) ("When a client's capacity to make adequately considered decisions in connection with a representation is diminished, whether because of minority, mental impairment or for some other reason, the lawyer shall, as far as reasonably possible, maintain a normal client-lawyer relationship with the client.") and R. 1.14(b) ("When the lawyer reasonably believes that the client has diminished capacity, is at risk of substantial

Competency

Attorneys shall consider the issue of client competency in all cases. Counsel shall consider the client's age, developmental stage, mental retardation and mental health diagnoses. A juvenile client's competency shall be considered at all phases of the legal process. Attorneys shall understand the details of the competency proceeding and should prepare for and participate in proceedings. Attorney and client shall resolve ethical issues of raising or not raising competency. Attorney shall be aware of alternative proceedings that can result if the client is found to be incompetent.

Communication issues

Counsel should be alert for issues that may impede effective communication between counsel and client. During all interviews and court proceedings counsel should ensure that all potential communication needs are effectively addressed to enable the client to fully participate in all interviews and proceedings. Communication issues may be created by: language, literacy, mental or physical disability or impairment. Appropriate accommodations should be provided during all interviews, preparation, and proceedings, which might include the use of interpreters, mechanical or technological supports or expert assistance.

Due to the age and maturity of youth who are the subject of delinquency proceedings, counsel must take care to communicate clearly with their clients using age appropriate language and take time to explain legal terminology in an understandable manner for their young client.¹³

Investigation and Discovery

A thorough investigation by defense counsel is essential for competent representation of youth in delinquency proceedings.¹⁴ Counsel shall consider seeking the assistance of an investigator when necessary and consider moving the court for funding to pay for the use of an investigator.¹⁵ Counsel shall consider going to the scene of the alleged offense or offenses in a timely manner. Counsel shall consider the preservation of evidence and document such by using photographs, measurements and other means. Counsel shall also identify and consider interviewing potential witnesses and reviewing the records of their client including but not limited to, educational, psychological, psychiatric, substance abuse treatment, children services

physical, financial, or other harm unless action is taken, cannot adequately act in the client's own interest, the lawyer may take reasonably necessary protective action, including consulting with individuals or entities that have the ability to take action to protect the client and, in appropriate cases, seeking the appointment of a guardian *ad litem*, conservator, or guardian").

¹³ *Supra* note 4, at p.30 "Counsel for youth must be able to explain the juvenile delinquency court process in terms the youth can understand."

¹⁴ *Id.* at p.31, Prior to the trial, counsel completed all of the following responsibilities:

(1) Investigated all circumstances of the allegations; (2) Sought discovery of any reports or other evidence to be submitted to or considered by the juvenile delinquency court at the trial; (3) If circumstances warrant, requested appointment of an investigator or expert witness to aid in the preparation of the defense and for any other order necessary to protect the youth's rights...; and at p.122, "Effective representation of the client's interests is frustrated when counsel for the youth is ignorant of information contained in discovery materials."

¹⁵ *Supra* note 1, Principle 4 B, "The indigent defense delivery system ensures the provision of all litigation support services necessary for the delivery of quality services, including... investigators..."

records, court files and prior delinquency records and be prepared to execute any needed releases of information or obtain any necessary court orders to obtain these records. Counsel shall utilize all possible means of obtaining discovery and utilize motions for discovery when appropriate.¹⁶ When appropriate, counsel shall also examine all records, reports, evidence, photographs, 911 recordings, dispatch reports, law enforcement radio transmissions or other records or documents in the possession of law enforcement or the prosecutor. Counsel shall be mindful of all requirements for reciprocal discovery and be sure to provide such in a timely manner.¹⁷

Informal Court Processes

Counsel shall be familiar with all available alternatives offered by the court or available in the community. Such programs may include diversion, mediation or other informal programming that could result in a juvenile's case being dismissed, handled informally or referred to other community programming. When appropriate and available, counsel shall advocate for the use of informal mechanisms that could steer the juvenile's case away from the formal court process.¹⁸

Detention Hearing

When appropriate, counsel shall attempt to obtain the pretrial release of any client.¹⁹ Counsel shall advocate for the use of alternatives to detention for the youth at the detention hearing. Such alternatives might include: electronic home monitoring, day or evening reporting centers, utilization of other community based services such as after school programming etc... If counsel is appointed after the initial detention hearing or if the youth remains detained after the initial detention hearing, counsel shall consider the filing of a motion pursuant to Juvenile Rule 7(g) to review the detention decision.²⁰

If the youth's release from secure detention is ordered by the court counsel shall carefully explain to the youth the conditions of their release from detention and any obligations of reporting or participation in programming.

¹⁶ *Supra* note 4, Standard 7.3(a)(i), at p.84, "Counsel should promptly seek disclosure of any documents, exhibits, or other information potentially material to representation of clients in juvenile court proceedings. If such disclosure is not readily available through informal processes, counsel should diligently pursue formal methods of discovery including, where appropriate, the filing of motions for ...discovery and inspection of exhibits, documents and photographs, for production of statements by and evidence favorable to the respondent, for production of a list of witnesses, and for the taking of depositions."; "...counsel for youth is responsible to:... Actively pursue discovery from the prosecutor under informal procedures, court rule and motions practice as appropriate." *See also, Supra*, note 2, at pp.30-31.

¹⁷ *Supra* note 3, at p. 31. "Where the jurisdiction requires reciprocal discovery, counsel for youth should provide such materials as promptly as possible."

¹⁸ *Supra* note 4, Standard 6.1, at p.82, "Whenever the nature and circumstances of the case permit, counsel should explore the possibility of an early diversion from the formal juvenile court process through subjudicial agencies and other community resources."

¹⁹ Research shows that once youth are detained in an initial hearing, they are more likely to remain confined throughout the proceedings and thereafter. **See**

²⁰ *Supra* note 4, Standard 6.4(a), at p.83, "If the client is detained ...the lawyer should immediately consider all steps that may in good faith be taken to secure the child's release from custody."

Counsel should advocate in their community for a system that allows for the appointment of counsel to youth prior to the detention hearing.²¹

Pre-Trial Motions

Counsel shall review all statements, reports and other evidence and interview the client to determine whether any motions are appropriate. Counsel should timely file all appropriate pre-trial motions and participate in all pre-trial proceedings.²²

Counsel shall be sure that all pre-trial hearing proceedings are adequately recorded and the recording is preserved by the court.

In order to best preserve a client's appellate rights counsel shall object on the record and state the grounds for such objection following the courts denial of any defense motion.

Adjudicatory Hearing

Counsel should develop a theory of the case in advance of the adjudicatory hearing. Counsel shall issue subpoenas and obtain court orders for all necessary evidence to ensure the evidence's availability at the adjudicatory hearing. Sufficiently in advance of the hearing, counsel shall subpoena all potential witnesses. During the adjudicatory hearing counsel shall raise objections on the record to any evidentiary issues.

Counsel shall make a Motion to Dismiss pursuant to Juv.R.29(F) at the close of the state's case and again at the close of the defense case.

Counsel shall ensure that an official court record is made and preserved of any adjudicatory hearing.²³

Counsel shall utilize expert services when appropriate and petition the court for assistance in obtaining expert services when necessary.²⁴

²¹ *Supra* note 2, Key Principle 7, at p.77, "Youth charged in the formal juvenile delinquency court must have qualified and adequately compensated representation applies regardless of whether the youth is released or detained. The Delinquency guidelines recommends that youth, parent, and counsel for the youth meet prior to the detention or initial hearing to determine the position they will take at the hearing."

²² *Id.*, Standard 7.3 (b), at p.85, "Where the circumstances warrant, counsel should promptly make any motions material to the protection and vindication of the client's rights, such as motions to dismiss the petition, to suppress evidence, for mental examination, or appointment of an investigator or expert witness, for severance, or to disqualify a judge."; *See also*, *Supra* note 2, at p.30-31, "...counsel for youth is responsible to file all appropriate pre-trial motions in order to protect the youth's rights and preserve the fairness of the trial and adjudication hearing. Such motions may include efforts to obtain discovery materials, to suppress physical evidence and confessions, or to challenge the circumstances of a pretrial identification etc."

²³ *Supra* note 6, Standard 2.1(A), at p.2, "A verbatim record should be made of all adjudication proceedings, whether or not the allegations in the petition are contested."

²⁴ *Supra* note 1, Principle 4 A, "The indigent defense delivery system supports requests for essential expert services throughout the delinquency process and whenever individual juvenile case representation requires these services for effective and quality representation. These services include, but are not limited to, evaluation by and testimony of mental health professionals, education specialists, forensic evidence examiners, DNA experts, ballistics analysis and

Dispositional Hearing

Counsel should begin to prepare for disposition at the beginning of the proceedings. Counsel shall be knowledgeable of available dispositional alternatives available in their community and as appropriate outside of the community.²⁵ Counsel shall review, in advance of the dispositional hearing, if possible, the recommendations of the probation department or other court department responsible for making dispositional recommendations to the court.²⁶ Counsel shall inform their client of these recommendations and other available dispositional alternatives.²⁷ Counsel shall familiarize themselves with potential support systems of the client such as their school, family, community programs with which the child is involved and consider whether such supportive services could be part of a plan for the child's disposition. Counsel shall offer testimony or other evidence regarding less restrictive dispositional options for their client.²⁸ Counsel shall ensure that an official court record is made and preserved of any dispositional hearing. Counsel shall consider the use of a written dispositional brief filed in advance of the dispositional hearing.

If a sentence to DYS is a possibility in a youth's case, counsel shall inform their client of the indeterminate nature of commitments to DYS facilities and that all commitments to DYS take the form of a minimum sentence up to age 21. Counsel shall review the disposition order to ensure that the sentence is clearly and accurately recorded. Additionally, counsel shall review the disposition order to ensure that it includes language regarding detention credits and plea agreements. Counsel shall be aware of sex offender registration requirements and requisite proceedings, when applicable to the juvenile being represented.

Counsel shall be familiar with the procedure for sealing and expunging records, inform their clients of the same, and utilize such procedures for their clients when eligible.

accident reconstruction experts.”; *See also, Supra* note 4, Standard 2.1(c), at p.72, “Competent representation cannot be assured unless adequate supporting services are available. Representation in cases involving juveniles typically requires investigatory, expert and other non-legal services. These should be available to lawyers and to their clients at all states of juvenile and family court proceedings.”

²⁵ *Id.*, Standard 9.2(a) at p.89, “Counsel should be familiar with the dispositional alternatives available to the court, with its procedures and practices at the disposition stage, and with community services that might be useful in the formation of a dispositional plan appropriate to the client's circumstances.”; *Supra* note 2, at p.30, “...counsel for youth is responsible to:...Be knowledgeable of all the disposition resources available in the jurisdiction...”

²⁶ *Supra* note 4, Standard 9.2(a), at p.89, The lawyer should promptly investigate all sources of evidence including any reports or other information that will be brought to the court's attention, and interview all witnesses material to the disposition decision.”

²⁷ *Id.*, Standard 9.3, at p.90, “The lawyer should explain to the client the nature of the disposition hearing, the issues involved, and the alternatives open to the court. The lawyer should also explain fully and candidly the nature, obligations and consequences of any proposed dispositional plan, including the meaning of conditions of probation, the characteristics of any institution to which commitment is possible, and the probable duration of the client's responsibilities under the proposed dispositional plan.”

²⁸ *Supra* note 1, Principle 8A “Indigent defense delivery system counsel have an obligation to consult with clients and, independent from court or probation staff, to actively seek out and advocate for treatment and placement alternatives that best serve the unique needs and dispositional requests of each child.”; *See also, Supra* note 4, Standard 9.2(a), at p.90, “The lawyer should seek to secure the assistance of psychiatric, psychological, medical or other expert personnel needed for purposes of evaluation, consultation, or testimony with respect to formation of a dispositional plan.”

Objections during court hearings

Counsel must be aware of appellate issues and the importance of their preservation at all stages of the representation. Counsel must make specific, clear objections on the record. Counsel must resolve any doubt in favor of objecting, in order to preserve the client's rights.

Requesting Continuances

Attorneys shall diligently work to complete their investigations and preparations in order to be fully prepared for all court proceedings. In the event however that counsel finds it necessary to have more time to adequately prepare for a proceeding, counsel should consult with the client and discuss seeking a continuance of the upcoming proceeding. Whenever possible, written motions for continuance made in advance of the proceeding are preferable to oral requests for continuance. All requests for a continuance should be supported by well articulated reasons on the record in the event it becomes an appealable issue.

Objections to Magistrate Opinion

Counsel shall advise client of the role of the Magistrate and the procedure and purpose of filing objections to the Magistrate's decision. If the client agrees to proceed, counsel shall review the Magistrate's decision for possible meritorious grounds to object. If the Magistrate's decision does not contain finding of facts and conclusions of law, counsel shall request in writing such findings of facts and conclusions of law in accordance with Ohio Rule of Juvenile Procedure 40. Counsel shall ensure that the transcript of the proceeding is timely obtained and objections are timely filed in accordance with Ohio Rule of Juvenile Procedure 40. Counsel shall draft and file objections with specificity and particularity, and if allowed, participate in the oral argument if appropriate.

Right to Appeal

At the time of the issuance of an appealable order, counsel must provide the client with written or oral notice of appellate rights and their right to have appellate counsel.²⁹ Counsel shall ensure that the notice of appeal and request for appointment of counsel is filed, or that the client has obtained, or the court has appointed, appellate counsel in a timely manner.

Post Dispositional Advocacy

Counsel shall inform any youth who are committed to the Department of Youth Services that they may motion the court for an early release from DYS during the time period equivalent to their minimum sentence to DYS. Whenever possible, counsel should continue with the post-

²⁹ *Supra* note 4, Standard 10.3(b), at p.93, "Whether or not trial counsel expects to conduct the appeal, he or she should promptly inform the client... of the right to appeal and take all steps necessary to protect that right until appellate counsel is substituted or the client decides not to exercise this privilege."

dispositional representation of their client.³⁰ Counsel shall clearly tell the youth whether they will be available to continue to represent the youth for post-dispositional issues and if applicable, during the time period of their incarceration. If counsel is unable to continue with representation counsel should advise the youth how to obtain other counsel.

Court appointed counsel and public defender offices should strive to create indigent defense delivery systems that provide for continuity in post-dispositional representation for juvenile delinquency cases and utilize the available resource of the Office of the Ohio Public Defender for appellate advocacy when appropriate.

Transfer Proceedings to Adult Court/SYO

Counsel shall not undertake representation of children in these areas without sufficient experience, knowledge, and training in these unique areas. It is recommended that counsel representing children in transfer proceedings at a minimum have litigated at least 2 criminal jury trials, or to have co-counsel who has done so.

Counsel must recognize that transfer proceedings to adult court and serious youthful offender proceedings are unique with the most serious consequences for children so charged. Counsel should be experienced in adult criminal proceedings with a thorough knowledge of adult criminal procedures and sentencing. This must include practical actual criminal jury trial experience. Counsel must be aware and knowledgeable of the purposes and legal issues surrounding probable cause hearings and amenability proceedings. Counsel shall thoroughly investigate the social, psychological, and educational history of the child as to amenability proceedings. Counsel shall obtain as appropriate the use of professionals including psychologists, social workers, and investigators so as to provide the court with a comprehensive analysis of the child's strengths and weaknesses so as to advocate for their amenability.

Children charged with aggravated murder specifications should be represented by counsel who meet Rule 20 qualifications.

Counsel who represent children facing Serious Youthful Offender status shall at a minimum have litigated two criminal jury trials, and/or two serious youthful offender jury trials, or have co-counsel who has done so. Counsel shall be familiar with the adult sentencing proceedings that the child will be subject to upon conviction so as to be able to advocate for an appropriate suspended adult sentence.

³⁰ *Supra* note 4, Standard 10.1(a), at p.91, "The lawyer's responsibility to the client does not necessarily end with the dismissal of the charges or entry of a final dispositional order. The attorney should be prepared to counsel and render or assist in securing appropriate legal services for the client in matters arising from the original proceeding."