

STATE OF GEORGIA PERFORMANCE STANDARDS FOR ATTORNEYS REPRESENTING PARENTS IN ABUSE AND NEGLECT CASES

The purpose of these standards is to provide attorneys representing parents with a general guide to appropriate and zealous advocacy on behalf of clients in juvenile court deprivation and termination of parental rights cases.

Performance Standard 1: Obligations of Parents' Counsel

The primary and most fundamental obligation of a family defender is to provide zealous and effective representation for his or her client at all stages of the juvenile court proceedings. The parent attorney's duty and responsibility is to promote and protect the parent's expressed interest. If personal matters make it impossible for counsel to fulfill the duty of zealous representation, he or she has a duty to refrain from representing the client. Attorneys also have an obligation to uphold the ethical standards of the State Bar of Georgia and to act in accordance with the Uniform Juvenile Court Rules.

Performance Standard 2: Training and Experience of Parents' Counsel

Deprivation and Termination of Parental Rights (TPR) cases should not be taken on without the adequate experience and knowledge necessary to represent the client zealously.

- 2.1** Before practicing in juvenile court, parents' counsel (hereafter "counsel") should be proficient in applicable substantive and procedural Georgia juvenile law and Federal Laws relating to child abuse and neglect and should have appropriate experience, skills and training necessary to represent parents.
 - a.** Counsel must observe at least ten hours of observation in juvenile court. The ten hours of observation must include a 72 Hour/probable cause hearing, an Adjudication hearing, a Disposition hearing, a Motion to Extend Custody, a Motion for Non-Reunification, and a Termination of Parental Rights.
 - b.** Counsel must sit co-chair on one Adjudication Hearing and one Termination of Parental Rights.
 - c.** Counsel must be assigned a Mentor in Juvenile Court.
 - d.** Counsel must be a member of Parent Attorney Advocates Committee of the State of Georgia. www.parentattorney.org (membership is free)
 - e.** Counsel must provide the Court with two references from Parent Attorneys already approved to represent parents in any juvenile court in the State of Georgia.
 - f.** Counsel must prior to first appointment complete six hours of CLE credit in juvenile law, including, but not limited to such topics as education, DFACS policy and procedures, discovery, federal laws regarding abused and neglected children, child development, reasonable efforts, trial

advocacy and training, substance abuse, domestic violence, and mental health issues

- g.** Counsel must complete six hours of CLE credit to continue to be on the parent attorney appointment list each year.
- h.** Counsel must be familiar with the Juvenile Code of Georgia, the Juvenile Uniform Rules of Court, the Georgia Rules of Professional Conduct, and all applicable federal laws, including, but not limited to the Adoption and Safe Family Act of 1997, the Interstate Compact on the Placement of Children, the Special Immigration Juvenile Status Act, Individual with Disabilities Education Act and the Indian Child Welfare Act.
- i.** Counsel should be knowledgeable about and seek ongoing training in the following areas:
 - i.** DFCS policies and procedures,
 - ii.** Federal Regulations relating to DFCS and foster care,
 - iii.** Services available to children and parents through the juvenile court and community,
 - iv.** Child development
 - v.** Adoption process/benefits available,
 - vi.** Substance abuse, addiction recovery stages,
 - vii.** Causes and available treatment for child abuse and neglect,
 - viii.** Effective communication skills to communicate with child witnesses
 - ix.** Cultural Competency,
 - x.** State and Federal Government benefits , Immigration laws relating to child welfare and child custody,
 - xi.** Interstate Compact on Placement of Children,
 - xii.** Medical and mental health care
 - xiii.** Domestic Violence
 - xiv.** Disabilities
- j.** If the Parent Attorney has completed the above requirements, the Parent attorney must only observe four hours of juvenile court in any new county the parent attorney desires to be appointed cases in.

2.3 Counsel should note that local juvenile court practices and procedures may differ.

2.4 Counsel has a continuing obligation to stay abreast of changes and development in the law.

2.5 Before agreeing to act as counsel or accepting appointment by a court, counsel has an obligation to make sure that counsel has available sufficient time, resources, knowledge and experience to offer effective representation to a defendant in a particular matter. If it later appears that counsel is unable to offer effective representation in the case, counsel should move to withdraw.

- 2.6 If a conflict develops during the course of representation, counsel has a duty to notify the client and the court in accordance with the Uniform Rules of Court and in accordance with the Disciplinary Rules of the State Bar of Georgia.
- 2.7 When counsel's caseload is so large that counsel is unable to satisfactorily meet these performance standards, counsel shall inform the Circuit Public Defender for counsel's judicial circuit and the court or courts before whom counsel's cases are pending. If the Circuit Public Defender determines that the caseloads for his entire office are so large that counsel is unable to satisfactorily meet these performance standards, the Circuit Public Defender shall inform the court or courts before whom cases are pending and the Director of the Georgia Public Defender Standards Council.

Performance Standard 3: The Role of Parents' Counsel

- 3.1 Counsel's principal duty is to zealously advocate the parents fundamental liberty interest in the care and custody of his or her child.
 - a. Counsel is bound by and should advocate for the client's position, and may not substitute counsel's own judgment for the client's, nor should counsel ignore the client's wishes because they are perceived not to be in the child's best interests.
 - b. Counsel should advise the client as to the probable success, and the consequences of, adopting any position, and should give the client all information necessary for the client to make an informed decision.
- 3.2 In order to effectively advocate for the client and to provide suggestions for appropriate dispositional options, counsel should take a holistic approach, evaluating all factors which may have contributed to the allegations of abuse or neglect.¹

Performance Standard 4: Relationship with Client

Attorneys representing parents should show respect and professionalism towards their clients. Parent's attorneys should support their clients and be sensitive to the client's individual needs. Attorneys should remember that they may be the client's only advocate in the system and should act accordingly.²

- 4.1 Counsel should establish a reliable communication system that meets the client's needs. It is important the counsel, from the beginning of the case, is clear with the parent that the attorney works for the parent, is available for consultation, and wants to communicate regularly.³
- 4.2 Meet and communicate regularly with the client well before court proceedings. Counsel the client about all legal matters related to the case, including specific allegations against the client, the service plan, the client's rights in the pending proceeding, any orders entered against the client and the potential consequences of failing to obey court orders or cooperate with service plans.⁴
- 4.3 Counsel should adhere to all laws and ethical obligations, including the Georgia Rules of Professional Conduct⁵, concerning client confidentiality.
- 4.4 Counsel should act in a culturally competent manner and with regard to the socioeconomic position of the parent throughout all aspects of representation.

- 4.5 Counsel should take diligent steps to locate and communicate with a missing parent and decide representation strategies based on that communication.⁶
- 4.6 Counsel should be aware of the unique issues an incarcerated parent faces and provide competent representation to the incarcerated client.⁷
- 4.7 Counsel should be aware of the client's mental health status and be prepared to assess whether the parent can assist with the case.⁸
 - a. Whether the client can assist counsel is a different issue from whether the client is able to parent the children, though the condition may be related to ability to parent.⁹
 - b. In assessing whether the client can assist counsel, counsel may consult family members, consult with professional who can protect the client, and use a consideration period to clarify or improve circumstances¹⁰.
 - c. In severe cases, where counsel determines that the client does not have the capacity to assist with the case, counsel may ask for a guardian ad litem to be appointed to the client. Since this action may have an adverse effect on the client's legal claims, the attorney should ask for a GAL only when absolutely necessary.¹¹
 - d.

Performance Standard 5: Duty at Appointment

- 5.1 Establishing and maintaining a relationship with the client is the foundation of the attorney-client relationship. Counsel should conduct an initial interview of the client within 72 hours of appointment.¹²
- 5.2 Many important rights of clients involved in juvenile court proceedings can be protected only by prompt advice and action. Counsel should immediately inform the client of his or her rights and the nature of the attorney client relationship, and should pursue any investigatory or procedural steps necessary to protect the clients' interests. Counsel should invoke the protections of appropriate constitutional provisions, federal and state laws, statutory provisions, and court rules on behalf of a client, and revoke any waivers of these protections purportedly given by the client, as soon as practicable.¹³

Performance Standard 6: Counsel's Initial Interview with Client

Commentary:

The initial interview is the first and most crucial opportunity to build rapport with the client. It is important to initiate face-to-face contact with the client as soon as possible after appointment.

- 6.1 In preparation for the interview, counsel should:
 - a. schedule the interview to allow for ample time to speak with the client;
 - b. collect any relevant information to bring, including all records and releases;

- b. be familiar with the elements of the allegations of abuse or neglect.
- 6.2 At the interview, counsel should:
- a. explain to the client the role of counsel. Thoroughly explain the confidential nature of attorney client conversations.
 - b. explain the allegations and possible dispositions;
 - c. explain the juvenile court process, timelines and the role of all the parties involved, such as Judge, SAAG, DFCS staff, CASA, Child Advocate Attorneys and counsel;
 - d. instruct the client not to make statements to anyone concerning the case;
 - e. obtain signed releases by the client and parent for medical and mental health records, school records, DFCS records, employment records, etc. Counsel should advise the client of the potential use of this information and the privileges that attach to this information;
 - f. obtain information from the client concerning the facts of the allegations, the accuracy thereof and any other relevant information including clients prior contact with DFCS;
 - g. if the child has been removed counsel should inquire as to:
 - i. reasons for removal or intervention;
 - ii. services provided prior to removal or intervention;
 - iii. services the client feels would have avoided the need for removal;
 - iv. alternatives to removal including relative placements, in-home services or removal of the perpetrator;
 - v. current efforts to reunify the family;
 - vi. family history including identity of prior caretakers of the child;
 - vii. services needed by the child, parent(s) or guardian;
 - viii. the client's concerns about placement;
 - ix. the client's long and short term goals;
 - x. current visitation and the client's desires concerning visitation;¹⁴

Performance Standard 7: Counsel's Duty at the 72 Hour Hearing¹⁵

- 7.1 In preparation for the 72 hour hearing counsel should:
 - a. immediately determine both the agency's and your client's version of the reasons for the child's removal;
 - b. determine what the client wishes regarding the child's placement, frequency of visits, and communication with the child;
 - c. inform the client of the nature of the proceedings as well as his or her Fifth Amendment rights;
 - d. be familiar with the types of placements options.
- 7.2 During the 72 Hour Hearing counsel should:
 - a. make sure incarcerated parents are present.
 - b. obtain copies of all relevant documents including copies of all previous orders, such as substance abuse, child support and paternity tests.
 - c. take time to talk to the client, asking for a recess or continuance if

- necessary;
- d. assist the client in exercising the right to an evidentiary hearing to demonstrate to the court that the child can be returned home without further danger;
- e. where appropriate, present facts and arguments regarding:
 - i. jurisdictional sufficiency,
 - ii. adequacy of notice provided to parties,
 - iii. necessity of shelter care,
 - iv. why it is in the best interests of the child to remain home,
 - v. whether reasonable efforts were made to prevent removal,
 - vi. whether reasonable and available services can prevent or eliminate the need to separate the family,
 - vii. whether the placement proposed is the least disruptive and most family-like setting that meets the needs of the child,
 - viii. the possibility of placement with appropriate non-custodial parents and relatives,
 - ix. arrangements for visits if the child is to remain out of the home, and
 - x. alternatives to shelter care to be explored such as relative placement, intensive in-home services and mediation.
- f. ensure that any services or needs of the family are met by the responsible agencies if the child is returned to the parents;
- g. request scheduling and notice of caseplan meeting.

- h. request the date and time for the adjudicatory hearing.¹⁶

Performance Standard 8: Counsel's Duty to Investigate

Counsel should conduct a thorough and independent investigation at every stage of the proceeding. Counsel should not rely solely on the report of the caseworker.¹⁷

- 8.1 Counsel should conduct an in-depth interview with the client covering:
 - a. the events giving rise to the allegations in the petition;
 - b. the existence of witnesses or other potential sources of information; and
 - c. information about the child's current placement, condition and needs.
- 8.2 Counsel should ask for and review the agency's case file as early during the course of representation as possible and should periodically check for additions to the file by the agency.
- 8.3 Counsel should be familiar with, and where appropriate, obtain the assistance of local juvenile and mental health experts who can provide attorneys with consultation, evaluation of their client's or other parties, including parent-child interaction assessments, and testimony on issues in the case.
- 8.4 Counsel should interview all potential witnesses including adverse witnesses.
- 8.5 Counsel should obtain information and records from representatives of other agencies with whom the family has been involved when available.

Performance Standard 9: Discovery

Formal Discovery in Deprivation and TPR cases is governed by Georgia Uniform Juvenile Court Rules Section 7. Counsel should know what information is needed to prepare for the case and understand the best methods of obtaining that information in their jurisdiction either through informal or formal discovery.

Performance Standard 10: Counsel's Duty at Adjudicatory Hearing

- 10.1 In preparation for the adjudicatory hearing counsel should:
 - a. develop a theory of the case;
 - b. thoroughly prepare the client for the hearing;
 - c. request pre-trial conferences, when necessary
 - d. file any appropriate pre-trial motions;
 - e. review the DFCS file;
 - f. identify and interview all appropriate parties;
 - g. explore alternative placement options;
 - h. develop recommendations for progress of, or resolution to the case;
 - i. talk with the Guardian ad litem and/or CASA;
 - j. issue subpoenas for witnesses, as needed, for trial;

- i. identify need for experts and seek necessary funding;
 - i. where a child is a witness, meet with the GAL to minimize stress on the child and parent;
 - j. request other process diversions, when appropriate, such as mediation;
 - k. discuss the court process with the parent;
 - l. review applicable law, including the rules of evidence, supporting case law and the statutory burden of proof;
 - m. coordinate with attorney handling a corresponding criminal case, if any, and be mindful of the consequences with regard to any prosecution of the client.
 - o. Prepare proposed findings of fact, conclusions of law and orders when they will be used in the court's decision or may otherwise benefit the client
- 10.2 At the adjudicatory hearing counsel should;
- a. have all relevant materials available including all pleadings, discovery and investigative reports as well as relevant statutes;
 - b. be prepared with facts and legal arguments to support the theory of the case, advocate for the child to return home and for appropriate services, if that is the client's position, and request that the court state its expectations of all parties
 - c. advance the theory of the case through opening statement, direct and cross examination of witnesses, introduction of relevant evidence and closing statement;
 - d. make all appropriate motions and evidentiary objections;
 - e. preserve legal issues for appeal as appropriate;
 - f. take all necessary steps to ensure full official recordation of all aspects of the court proceeding.

Performance Standard 11: Counsel's Duty at Disposition

Commentary:

The active participation of counsel at disposition is essential. In many cases, counsel's most valuable service to clients will be rendered at this stage of the proceeding. An important part of representation in a juvenile case is planning for disposition.

- 11.1 In preparation for the disposition hearing counsel should:
- a. Obtain the case plan with recommendation as to placement and identify alternative placements, if necessary.
 - b. Ensure that the goals for reunification are consistent with the reasons for removal.
 - c. Explore the appropriateness of the recommended placement including foster homes.
 - d. Obtain recommendations of professionals, including medical and psychiatric care providers and teachers.
 - e. Prepare proposed findings of fact, conclusions of law and orders

when they will be used in the court's decision or may otherwise benefit the client.

- 11.2 During the dispositional hearing counsel should:
- a. Review the caseplan on the record so that the judges can clearly explain the goals, time lines, future hearing dates, notice, and full disclosure.
 - b. Ensure that the case plan is still appropriate and consistent with the reasons for removal.
 - c. Ensure early and adequate provision of services.
 - d. Be creative when asking for services for your client.
 - e. Ensure that the orders are clear and specific, using language that the parent understands.
 - f. Ensure that visitation is addressed, including parents and siblings, meaningful visitation that is conducive to the parent's schedule, time frames, frequency, unsupervised visitation, alternative resources for frequent visitation.
 - g. Address issues relating to placement, services, transportation, parenting classes, housing, time frames, medical needs, educational needs and counseling.
 - h. Ensure that the client understands the caseplan, goals and their responsibilities, the time frames involved and explain the next steps.

Performance Standard 12: Counsel's Duty at Review Hearings

Commentary:

Review hearings are court proceedings that take place after disposition in which the court reviews the status of the case. In many counties, this hearing is delegated to citizen review panels which do a full review of the case and make recommendations to the judge. The judge will then review the same case on paper with the panel's recommendations and will issue an order incorporating those recommendations, if appropriate.

- 12.1 For citizen review panels counsel should:
- a. Request notice of the panel meeting.
 - b. Prepare for and participate in the meeting when warranted.
 - c. If necessary, provide information in writing to the panel.
 - d. Discuss the proceeding with the client before and after the review.
 - e. Have client collect information on progress made on case plan and goals achieved to present to DFCS prior to the review and to the panel at the review.
 - f. Review the report of the panel and request judicial review or in-court review if needed.
- 12.2 For judicial reviews the attorney should:
- a. Request notice of the court date.
 - b. Attend each review.

- c. Talk to service providers or others who may help client.
 - d. Explore whether the child can now be returned home or ensure that the current placement is still appropriate and least restrictive.
 - e. Modify or increase the visitation schedule.
 - f. Ensure the agency is making reasonable efforts by providing services to eliminate the need for placement of the child.
 - g. Explore whether services set forth in the caseplan and the responsibilities of the parties need to be clarified or modified due to the availability of additional information or changed circumstances.
 - h. Explore whether any additional court orders need to be made to move the case toward successful completion.
 - i. Determine whether the current custody order has expired.
 - j. Explore the current permanency plan for the child and ensure that it is appropriate.
 - k. Modify deadlines, as needed.
 - l. Make a record of caseworker changes.
- 12.3 Counsel should request a review when court intervention is necessary to resolve disputes in such matters as visitation, placement or services.¹⁸
- 12.4 Counsel should request a review when any event occurs that may significantly affect the need for continued placement.¹⁹

Performance Standard 13: Counsel's Duty at Permanency Hearings

- 13.1 At the permanency hearing counsel should:
- a. Review the case plan and request additional services or modifications as necessary.
 - b. Review compliance with the caseplan as well as all other evidence.
 - c. Review current placement, if reunification is not the plan.
 - d. If DFCS or GAL is moving towards termination of parental rights, ensure that the next steps and deadlines are set.
 - e. Propose a recommendation and be able to support that recommendation with facts.
 - f. Even if there is no parent/child reunification, address sibling visitation.
 - g. Counsel the client that the clock is running.
 - h. Consider alternative placements.
 - i. Discuss voluntary relinquishment with client, if appropriate
 - j. Discuss the next steps with client.
 - k. Advocate for the client's wishes.
 - l. If appropriate, arrange for reunification.

Performance Standard 14: Counsel's Duty at Termination of Parental Rights Hearings

- 14.1 In preparation for a TPR hearing counsel should:
- a. Determine whether the parent wishes to contest termination.
 - b. Discuss voluntary relinquishment with the parent.
 - c. Ensure that the petition states every factual allegation/ground that

supports termination of parental rights.

- d. Review the entire court record and case file.
 - e. If new to the case, conduct a full investigation and interview the prior attorney.
 - f. Review the Georgia TPR statute.
 - g. Prepare witnesses for testimony, including direct and cross examination.
 - h. Be prepared to address unique issues and any recent developments in the case that may affect the court's decision.
 - i. Work with the GAL and/or CASA.
 - j. Determine if there are compelling reasons why there should not be a termination.
 - k. Explain the process and consequences of the hearing with the client.
 - l. Identify the basis of the original abuse or neglect allegations and carefully analyze the agency's efforts to work with the parent.
 - m. Consider motions for expert evaluations of:
 - i. the child's relationship with the parent and foster parents,
 - ii. the child's response to continued contacts with the parent while in foster care,
 - iii. the parent's capacity to care for the child, and
 - iv. mental disabilities or other specific diagnoses.
 - n. If representing the putative father:
 - i. ensure that he has legitimized the child(ren) and
 - ii. ensure that he has his own separate case plan.
- 14.2 At the TPR hearing counsel should:
- a. Present evidence, including testimony of all witnesses.
 - b. Argue that TPR is not in the best interests of the child.
 - c. Contest the legal grounds for termination, the state is required to prove its case by clear and convincing evidence.
 - d. Preserve issues for appeal.
- 14.3 Post TPR counsel should
- a. Determine whether there are issues for appeal and file notice of appeal
 - b. If appealing, consider visitation while case is still pending.
 - c. Advise client regarding consequences of the order and future issues.
 - d. Send appropriate paperwork to the parent.

Performance Standard 15: Appeals

- 15.1 Counsel should review the court order to ensure accuracy and clarity.
- 15.2 Counsel should provide the client with a copy of the order and review the order with the client to ensure the client understands it.
- 15.3 Counsel should counsel client on potential consequences of failing to comply with the order, take reasonable steps to ensure the client complies with the order and determine whether the case needs to be brought back to

- court.
- 15.4 Counsel should consider and discuss the possibility of appeal with the client, including the likelihood of success on appeal and potential consequences of an appeal.
 - 15.5 Counsel should file a notice of appeal or a motion for new trial within the required timelines.
 - 15.6 Because continuity of representation through appeal is not certain. Counsel should file a motion to be appointed as counsel for the appeal. Or in the alternative, counsel should file a motion to withdraw in conjunction with a motion to have an attorney appointed for the appeal.
 - 15.7 Counsel should know the rules of both the Supreme Court and the Court of Appeals concerning the filing of appeals.
 - 15.8 Communicate the results of the appeal and its implication to the client.

Performance Standard 16: Conflicts of Interest

- 16.1 Counsel should be alert to and avoid potential conflicts of interest that would interfere with the competent representation of the client.
- 16.2 Counsel should generally avoid representing both parents when there is even a potential for conflicts of interests, and should never represent both parents in cases that involve allegations of sexual, physical, or emotional abuse, or when the interests of the parents differ.
- 16.3 If a conflict develops during the course of representation, counsel has a duty to notify the client and the court in accordance with the Uniform Rules of Court and in accordance with the Disciplinary Rules of the State Bar of Georgia

Performance Standard 17: Terminating Representation

Commentary:

Counsel may only withdraw from representing a client if withdrawal can be accomplished without material adverse effect on the interests of the client.²⁰

- 17.1 When counsel withdraws it shall be done in compliance with applicable laws and rules.
- 17.2 Upon termination of representation, a counsel shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payment of fee that has not been earned.

Performance Standard 18: Case Planning

Commentary:

The parent and counsel for the parent should play an active role in developing the case plan to ensure that the goals of the case plan and the services provided reflect the

court's findings and the statutory bases for the deprivation adjudication and that the services are designed to remedy or address the problems identified.

- 18.1 To participate in case plan development and adoption counsel should:
 - a. receive notice of case plan family conference meeting;
 - b. attend the case plan meeting or send a designee if possible;
 - c. instruct the client not to sign or agree to case plan before your review;
 - d. make recommendations for the case plan or develop an alternative case plan, as appropriate;
 - e. receive or request a copy of the case plan;
 - f. ensure that the case plan relates to reasons for removal;
 - g. ensure that the findings of fact relate to the case plan;
 - h. ensure that the required steps relate to the case plan problems and goals;
 - i. ensure that the case plan contains specific measurable goals tailored to your client;
 - j. make sure that the case plan is realistic regarding requirements of the parent;
 - k. ensure that the case plan reflects time lines and details for who is personally responsible under each provision of the case plan;
 - l. ensure that the case plan addresses who will pay for the services in the case plan;
 - m. ensure that if there is a concurrent case plan that is known to all parties.; and
 - n. ensure that the case plan defines specific duties for DFCS and specific services to be provided by DFCS.
- 17.1 After the court has adopted the case plan counsel should:
 - a. ensure that the client understands their responsibilities as outlined in the case plan:
 - b. ensure adherence to the case plan by frequently monitoring the parent's progress and the services provided by the agency
 - c. work with the client to develop timelines that reflect case plan deadlines and important dates and a calendar system to remember the dates;
 - d. be attentive to any problems that arise as the parties execute or fail to execute the plan; and
 - e. seek to modify the case plan as circumstances require or change.

¹ Id. Pg. 12

² Id.

³ Id at 13.

⁴ Id at 13.

⁵ See Georgia Rules of Professional Conduct Rule 1.6,

⁶ *Standards of Practice for Attorneys Representing Parents in Abuse and Neglect Cases*, ABA 2006 at 15.

⁷ Id at 17.

⁸ Id at 18.

⁹ Id. At 19

¹⁰ *ABA Model Rules of Professional Conduct*, MR 1.14, cmt. 5

¹¹ Standard at 19.

¹² Oregon Performance Standards 3.5, GPDSC Performance Standard 5.1

¹³ GPDSC 5.2

¹⁴ Oregon 3.5.2 at page 12.

¹⁵ Also called the probable cause hearing or the shelter care hearing. If counsel is not appointed until after the hearing counsel should...

¹⁶ Aspirational Guidelines 2002 p. 10

¹⁷ ABA at 19.

¹⁸ Oregon Performance Standard 3.12

¹⁹ Id.

²⁰ See Georgia Rules of Professional Conduct, Rule 1.16