

Developing a Defense through Investigation and File Review

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Sources of Information

Your client is your best source of information

- Client records
 - Therapy
 - Probation/Parole Records
 - Classes and other services
 - Child's records
 - Therapy
 - School
 - Medical
 - Experts
 - Consider your own
 - Use existing reports to your client's advantage
 - County Records
 - Court records
 - CHIPS file
 - Family Court/Paternity Case file
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Maximizing the use of your investigator

**If you work for the SPD, you can use your CSS too

**If you don't work for the SPD, you can do some of this yourself, but should also have someone to help you

- Have investigator accompany you to initial client meeting.
 - Rapport building
 - Gather background history of client
 - Gather witness information
 - Blank releases for client and children (therapy, medical, DOC, etc...)
 - Interview witnesses
 - Witness for tough client conversations
 - Gather records
 - Subpeona witnesses for court
 - Assist in trial prep
 - Assist at trial
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Remember that you may be required to turn over records that you've secured. This would come through the discovery process-- if they're requested by the opposing party.

This could include emails and text messages.

County CHIPS file



- Should look at original copies of all of the CHIPS documentation
- What else are you looking for???

Review any family court/paternity case file

- Especially important in private TPR cases
- Know what is required in your jurisdiction to get a copy of this
 - Court order
 - Release
 - Order Appointing Counsel
- Review custody, placement and visitation orders
- Check for TPR warnings if visitation is suspended

County's file is a great source of information

- Know how the system in your county works
 - What do you need to do to access the information.
 - eWiscaswis Notes
 - How your county documents visitation and other contract services
- Get to know how it works so you can also challenge business records hearsay exception during trial.
 - Best way to do this is through deposition of case workers



Initial Assessment & Ongoing Standards

The screenshot shows a web browser at the URL dcf.wisconsin.gov/cwportal/policy. The page header features the Wisconsin Department of Children and Families logo and the tagline "Protecting Children, Strengthening Families, Building Communities". Navigation buttons include "Report Child Abuse" and "Report Fraud". A search bar and a language selector are also present. The main navigation menu includes "Home", "How do I...", "I Am...", "Assistance Programs", "Child Care", "Protecting Children", and "DCF Partners".

Wisconsin Child Welfare Policies and Standards

The policies, standards, and Indian child welfare information provides a resource of the state rules and regulations guiding the State of Wisconsin child welfare system.

- Child Welfare Standards
- Reports and Dashboards
- Child Welfare Worker Portal

Standards

These standards specify the requirements necessary to perform Child Protective Services practice in the state of Wisconsin.

- [Safety - Intervention](#)
- [Access - Initial Assessment](#)
 - [Current In-Brief Excerpts](#) provides an overview of all changes in the newest Access - IA Standards.
 - [Alternative Response \(AR\) Draft Addendum](#)
 - [Assessing the Safety of Drug-Affected Infants](#)
- [Ongoing Services](#)
- [Youth Justice](#)

► [Wisconsin Indian Child Welfare Act \(WICWA\)](#)

► [Policy Documents](#)

The Policy Memos

The data table contains only those policy memos currently in effect. Sign up for an [email notification](#) when there is an

Consider talking to the kid

- GAL permission?
 - Pros/Cons

Tanya Hess Investigation Plan

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- Interviews
 - Records to get
 - Legal Issues to look into
 - More information to get from Ms. Hess
 - Things to provide to petitioner to help negotiate?