

Approved Hon. Douglas J. Hatchimonji
Presiding Judge of Juvenile Court
August 12, 2011

ORANGE COUNTY JUVENILE COURT

TITLE: Protocol for Appointment of Outside Counsel

The Judicial Officer assigned responsibility for handling the matter shall have the authority to appoint outside counsel to represent any party in a juvenile dependency or delinquency matter. Upon good cause and sufficient due diligence shown, the Judicial Officer may appoint outside counsel, on a pro bono basis, to represent a party with respect to a matter or proceeding in a subject matter area outside of the Juvenile Court, that may impact the outcome of the dependency or delinquency case. The Presiding Judge of the Juvenile Court shall act in a liaison capacity between the assigned Judicial Officer and pro bono counsel, for the purposes of assigning, coordinating, and monitoring pro bono counsel.

Counsel for any party seeking the appointment of outside counsel to represent their client (or a social worker or probation officer) shall complete and serve upon the bench officer assigned management of the matter and all parties a Petition for Appointment of Outside Counsel.

The information required by the Petition for Appointment of Outside Counsel shall include:

1. The subject matter expertise of the outside counsel required;
2. A detailed statement of the legal or other issue requiring resolution;
3. The current stage/status of the administrative or other legal proceeding in the outside forum, and any future scheduled meetings or hearings;
4. A detailed statement of the due diligence expended by petitioning counsel to affect an informal, collaborative and/or early resolution of the issue. The statement of due diligence should include, if applicable:
 - a. The nature (in-person meeting, telephone, email, letter), content (sum and substance of communications) and identity of all persons with whom the petitioning counsel met and conferred to reach an informal early resolution;

- b. Any informal conferences held with the assigned bench officer in an attempt to reach an informal early resolution, and the results of such conferences;
- c. The specific factual dispute that appears to be preventing informal early resolution;
- d. Any investigative work, assessment or evaluation, testing, or research performed by, or on behalf of, any of the parties, relevant to the issue; or any such work that is needed in the future.

Upon the filing of the Petition for Appointment of Outside Counsel, the assigned Judicial Officer may:

1. Find good cause for granting the Petition;
2. Return the Petition with a request for further information regarding the sufficiency of the showing of good cause and/or due diligence;
3. Set the matter for hearing, regarding the sufficiency of the showing of good cause and/or due diligence;
4. Deny the Petition.

Upon the granting of the Petition for the Appointment of Outside Counsel by the assigned Judicial Officer, the clerk of the court shall transmit the Petition and Order to the Presiding Judge of the Juvenile Court, who will oversee the assignment of the case to pro bono counsel, pursuant to any agreements or memoranda of understanding established for such purpose.

The Court hereby adopts this protocol:



Hon. Douglas J. Hatchimonji

8-15-11

Date