

Attorneys who represent parents in CPS cases have **duties to their clients** and **responsibilities to the judge** overseeing a case.

There are things **an attorney**

must



may



cannot



do.

Resolving Issues with **Your Attorney**

Most issues can be solved by talking to your attorney. If your attorney has violated a rule of professional conduct or the law, you may be able to file a grievance against your attorney. Filing a grievance will not necessarily get you a new attorney for your case; you may be required to continue working with the same attorney.

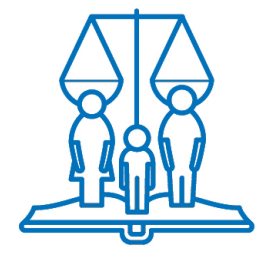
Note, filing a grievance against your attorney may not change your case, improve your position, or cause your child to be returned to you.

The State Bar of Texas handles the complaint process for all attorneys in the State of Texas. The State Bar of Texas also runs a **Client-Attorney Assistance Program (CAAP)**, which may be able to assist you in resolving issues with your attorney without filing a grievance. You can learn more about CAAP or the grievance process by calling the **Grievance Information Helpline at 1-800-932-1900**.

Educate Yourself about **Your Rights**

The Family Helpline for Strong Families and Safe Children answers parent and caregiver questions about CPS issues. Attorneys with extensive CPS experience answer every call. Callers receive legal information and education, but not legal advice or legal representation. All callers are accepted. **The Family Helpline for Strong Families and Safe Children** can be reached at **1-844-888-6565**, Monday through Friday, from 9:00 AM to 6:00 PM.

What Does a Parent's Attorney Do?



Important
Information for
Parents Involved in
CPS Cases



Your attorney must:

- Interview you.
- Investigate your case.
- Interview each person who knows important facts about your case.
- Interview parties to your case and their attorneys. Parties usually include CPS, parents, and sometimes grandparents or foster parents.
- Children are not parties, but the child's attorney MUST participate in your case the same way your attorney does.
- Review all documents in the court's file, and provide copies to you if you ask for them.
- Request documents or other information from CPS and other parties.
- Meet with you in person before each court hearing unless this is not possible.
- Explain things in a way that you can understand.
- Offer their advice about what they think you should do.
- Follow your decisions about what you want in your case.
- Be loyal and keep what you tell them private, except when your attorney believes a child is being abused or neglected or when sharing the information is required to prevent a crime from happening.
- Know the law in order to provide you with good legal representation.
- Take action to help you get what you want in the case, including settling or negotiating an agreement outside of court.
- Review and sign all proposed orders that affect you OR decline to sign the orders if directed by you not to agree.
- Know when and where all court hearings for your case will be held and share this information with you.
- Keep you informed about what's happening in your case and give you an update when you ask for one.



Your attorney may:

- Attend and participate in all legal proceedings in the case.
- Provide a substitute attorney if your attorney cannot personally attend, if you and the judge agree.
- Participate in any meetings run by CPS that you are also invited to participate in.
- Request a trial in front of a judge or jury.
- Agree OR refuse to agree to let another attorney interview you.



Your attorney cannot:

- Knowingly make a false statement to a judge or jury or use evidence that the attorney knows is false.
- Represent you AND someone else who wants a different result in the case.
- Allow you to lie to the court.
- Ask a witness to lie.
- Fail to work on your case or not take care of their duty to you and your case.
- Knowingly treat any person involved in a court proceeding differently based on race, color, national origin, religion, disability, age, sex, or sexual orientation.