

## Purpose and Scope of Panel

This panel is comprised of roster lawyers with experience, training, and interest in the area of representation of children in high conflict parenting matters. It covers matters where:

- a) the matter is deemed to be a high conflict family matter, and
- b) the Court has made an order for independent counsel to be appointed for the child(ren).

Panel members will receive priority when Legal Aid Alberta ( hereinafter referred to as “LAA”) offers certificates to roster lawyers in this service area when the staff offices are unable to accept a child representation file. While LAA reserves the right in extraordinary cases to appoint lawyers who are not on this panel, LAA plans to give panel members first preference when it appoints a lawyer from the roster.

This is a **province-wide** panel, but LAA will consider geographic service locations when assessing panel applications. Lawyers will initially be appointed to this panel for **three years**, subject to any changes to LAA’s business needs. Panel members may reapply before their term expires.

## Panel Competencies

Any LAA roster lawyer who has been practicing family law in Alberta for a minimum of **5 years** is eligible to apply to join this panel. Competitive applicants will demonstrate the following competencies:

- Significant family law experience in parenting matters, including conducting all aspects of a family file from negotiating resolutions to conducting trials.
- In-depth knowledge of and experience in proceedings under the *Divorce Act*, *Family Law Act*, *United Nations Convention on the Rights of the Child* and knowledge of the Alberta Rules of Court and Practice Notes.
- Specialized training in representing children.
- Experience working with and meeting with children including children from Indigenous and marginalized communities and children who are exposed to the toxic stress of high conflict family breakdown.
- A deep understanding of the child development, the brain science literature, dynamics of high conflict parenting litigation and resources available to children within the lawyer’s geographic service areas.
- **Disclaimer: This document is current as of November 20, 2024. LAA Tariff, Administrative Policies and process are subject to change.**

- Experience in dealing with high conflict parenting matters including working with and navigating parents with mental health issues and addictions.
- Strong communication, problem solving, conflict management and negotiation skills.

Lawyers do require direct or extensive experience in all competencies listed above. In addition, the lawyer must be committed to attend any training on representation of children offered by LAA.

## **Expectations of Panel Members**

### ***Number of Files***

The number of child representation files may vary substantially between geographic service areas. LAA cannot estimate how many certificates it may offer to panel members, because this will depend on how many lawyers LAA selects for the panel and where these lawyers practice law and the number of court orders for independent counsel for children.

Representation of children in high conflict parenting matters is a mandated service pursuant to LAA Governance Agreement and is a priority area for LAA staff offices where LAA has a child representation team of staff lawyers who have training and expertise in representation of children. All independent counsel files are sent in priority to the staff offices for acceptance. Independent counsel files will be sent to roster panel members when the staff offices have a legal conflict of interest, do not service a geographic location, are at capacity for child representation files or where a roster counsel has a pre-existing relationship with the child client. Each Panel member is expected to maintain experience and currency in child representation matters by taking a reasonable number of child representation files offered to them during their time on the panel. Lawyers on the panel must also be prepared to accept files throughout their geographic service areas.

### ***Training and Continuing Legal Education***

In addition to taking these files, panel lawyers are expected to seek out continuing legal education opportunities relevant to the competencies listed above and complete at least 8 hours per year of professional continuing education in representation of children.

This may include a combination of:

- Attending training sessions, seminars, or webinars offered by LAA's staff lawyers or others in the area of child representation;
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- Attending training on child representation offered by a recognized organization or associations including but not limited to Legal Education Society of Alberta (“LESA”) Association of Family and Conciliation Courts (“AFCC”), Legal Representation of Children and Youth (LRCY), International Centre for Children and Family Law (ICCF) or other private training that may be offered from time to time;
- Reading treatises, academic papers and caselaw relevant to child representation and/ or high conflict parenting matters;
- Undertaking cultural competency training or other training that helps the lawyer gain a greater understanding of the challenges facing Indigenous children and families.

LAA may also direct panel members to undertake specific professional development activities. Lawyers who intend to reapply to the panel should be prepared to explain what continuing legal education they have undertaken in relation to the panel competencies.

### **Panel Selection Process**

Lawyers who are interested in joining this panel must submit the application form and CV to LAA before the deadline noted on the LAA website. Lawyers will be selected for the panel in accordance with the process set out in LAA’s Administrative Policy 6.

The panel selection committee will review applications, may determine an interview is required and a LAA staff member may contact references listed on the application form to discuss the applicant’s interest, aptitude, or experience. By applying to the panel, roster lawyers authorize LAA to make confidential inquiries into the lawyer’s qualifications and competencies.

Because Panel members will work directly with children, they will have to provide to LAA an acceptable Criminal Record Check including a Vulnerable Sector Search as well as an acceptable Child Intervention Record Check.

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