

LRCY SERVICE STANDARDS

<p align="center">STANDARD (Benchmark of Practice)</p>	<p align="center">RATIONALE (Justification for Benchmark)</p>	<p align="center">INDICATORS (An indicator tells you if you are achieving your standard. In Year 1 of review, the focus of review is on establishing a baseline for indicator. In year 2 of the review, qualifiers are added to indicators to reflect the desired outcome of the standard.)</p>	<p align="center">DATA SOURCE</p>
<p>1. <u>Meeting with a Child or Youth</u></p> <p>Counsel should endeavor to have at least one face-to-face contact with the child or youth before submissions to the court (or appeal panel) are made, regardless of whether the child has the capacity to instruct counsel.</p> <p>Counsel is required to have at least one contact with the child or youth after the court has made a determination of the matter to explain the outcome of the decision, exceptions may be made if the child does not have the capacity to understand the decision.</p>	<p>Sufficient contact with the child or youth is required to:</p> <ol style="list-style-type: none"> a. Establish the solicitor-client relationship including confidentiality b. Develop age and developmentally appropriate relationships with the child or youth c. Determine the child or youth's views and preferences d. Determine the child or youth's capacity to give instructions <p>For those children or youth who do not have capacity to provide instructions, counsel must meet with the child or youth to fully understand the child's stage of development, personality and needs.</p>	<ul style="list-style-type: none"> ▪ Lawyers indicate a meeting place and date with the child/youth before and after a court order or appeal panel decision 	<p>Status reports from counsel</p>
<p>2. <u>Gathering Information</u></p> <p>Lawyers are required to examine all relevant information.</p>	<p>Gathering full and complete information will help counsel:</p> <ol style="list-style-type: none"> a. Determine the child or youth's capacity to give instructions b. Provide adequate legal advice c. Understand the circumstances surrounding the child or youth's views and preferences d. Explore possible options available to the child/youth 	<ul style="list-style-type: none"> ▪ Lawyers review the application and/or court file ▪ Lawyers make contact with lawyers representing other parties ▪ Lawyers request disclosure of child/youth's intervention record from director's counsel ▪ Lawyers contact significant individuals in child/youth's life, assuming the client consents when required 	<p>Status reports from counsel</p>

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<p>3. <u>Representing the Child/Youth's Views in Court</u></p> <p>Counsel must request that a child/youth's views and preferences are before the court.</p>	<p>Professional responsibility of counsel</p> <ul style="list-style-type: none"> - Lawyers assuming an advocacy role have a professional responsibility to represent the child/youth's views in court as a function of the instruction based solicitor-client relationship. - Lawyers assuming a best interests or <i>amicus curate</i> role have an ethical obligation to make the court and their client (depending on their capacity) aware of this role. If this position differs from the outcome desired by the child/youth, counsel must take steps to advise the court of the views of the child/youth. 	<ul style="list-style-type: none"> ▪ Lawyers request the court to consider the child/youth's view and preferences. ▪ Lawyers evaluate the child or youth's views based on considerations which include, among others: <ul style="list-style-type: none"> - The autonomy, strength and consistency of the child/youth's views and preferences. - The circumstances surrounding the child/youth's views and preferences. - All other relevant evidence about the child/youth's interests. 	<p>Status reports from counsel</p>
<p>4. <u>Attending Hearings</u></p> <p>Counsel is required to attend the initial hearing and all other "hearings of substance".</p>	<p>When the child or youth is represented in court early on and throughout the court proceedings, the court and other parties will become more aware of the significance of the child or youth's status in the proceeding.</p>	<p>Lawyers attend the initial hearings and all other "hearings of substance".</p>	<p>Random sample of interviews with youth and caseworkers</p>

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<p>5. <u>Advising of Procedural Rights</u></p> <p>Counsel must ensure that the youth has been advised of his/her right to attend court, and of his/her right to tell the court what they want to happen.</p>	<p>This is one of the procedural rights under the <i>Enhancement Act</i>.</p>	<p>Youth indicates that they were advised by their lawyer that they had a choice to attend court and could request to tell a judge what their views and preferences were.</p>	<p>Random sample of interviews with youth</p>
<p>6. <u>Invoicing/Case Reporting</u></p> <p>Counsel must ensure all invoice and case reporting requirements are met and sent to LRCY within three months of concluding the appointment or within two weeks of the LRCY fiscal year end (March 31st), whichever is earlier.</p>	<p>Complete and regular invoicing/case reporting provides LRCY with essential information for budget planning and forecasting as well as, monitoring and accountability of services.</p>	<p>Lawyers provide LRCY with required information as indicated in policy within the specified time period.</p>	<p>Invoice received</p>