EXAMPLE

Appointment of Counsel Checklist for CHIPS Cases

Joni B. v. State, 202 Wis. 2d 1, 549 N.W.2d 411 (1996)

1) Did the parent request an attorney?

___ Yes - If yes, then answer questions below

___ No

2) Self-Representation Competency. Does parent appear to have capacity to represent themselves?

___ Yes

___ No - If no, please explain: _____

_____

3) Does the parent understand the legal rights as explained to him/her?

___ Yes

___ No - If no, please explain: _____

_____

Case Specific Circumstances:

4) Is there a criminal investigation for the same allegations? If yes, answer additional questions:

- Is the case currently still being investigated? ___ Yes ___ No
- Have charges been filed? ___ Yes ___ No
- Is the parent the suspect or a witness? ___ Yes ___ No
- Has a statement been made to law enforcement about the investigation? ___ Yes ___ No
- Does the parent have an attorney in the criminal case? ___ Yes ___ No

5) Does this case rely on information from a medical professional?

___ Yes - If yes, please explain: _____

_____

___ No

6) Does this case rely on any expert opinions?

__ Yes - If yes, please explain: _____

_____

___ No

7) If the answer to question #5 or #6 is yes, does either parent have a background in that area of expertise?

___ Yes - If yes, please explain: _____

_____

___ No

8) Are there any other complexities of the case that would warrant additional legal assistance to the parent?

___ Yes - If yes, please explain: _____

_____

___ No

9) Is the child placed out of the parent's home?

___ Yes - If yes, where is the child placed? _____
_____

___ No

10) Is this the first CHIPS case in which this parent has been a party?

___ Yes
___ No

11) Has the parent had an attorney in any other legal proceeding?

___ Yes
___ No

12) Has a record been made as to the court's decision on whether or not to appoint counsel?

___ Yes
___ No