



Council for
Children's
Rights

ATTORNEYS/VOLUNTEERS NEEDED

Custody Advocacy Program (CAP)

What is the Custody Advocacy Program?

The Custody Advocacy Program (CAP) of the Council for Children's Rights is a unique, nationally recognized model. In its 14 years of service, this Guardian Ad Litem program has earned a solid reputation as a one-of-a-kind service to protect the welfare and best interests of children. It is the court system's last hope for ensuring that children do not continue to be torn apart by adult's insistence in putting children in the middle of their battle with one another and for protecting these children from further psychological, emotional, or physical damage.

What is a Guardian Ad litem?

Guardian Ad Litem is Latin meaning "Guardian at Law." This is the person appointed to look out for the best interest of a child during the course of legal proceedings.

Who does Custody Advocacy Program serve?

Our client is *always* the child. Clients come from all social, economic, and racial backgrounds.

What is the goal of the Custody Advocacy Program?

The focus of CAP is to effectively represent the best interests of children in custody and visitation cases. We try to resolve the conflicts between the parties outside of court, minimize the victimization of children involved in custody disputes and to ensure optimal placement and promote effective co-parenting of children. We settle on average 90% of all cases without going to court. In the event that the custody dispute cannot be resolved outside of court, the CAP team makes recommendation to the court that serves the child(ren)'s best interests.

Why is the Custody Advocacy Program unique?

No other agency in North Carolina provides pro bono representation to children in high conflict contested custody/visitation disputes. We never represent parents; our allegiance is always to the child(ren) involved.

How does the Council for Children's Rights' Custody Advocacy Program become involved in a case?

CAP accepts court appointments to represent any child residing in Mecklenburg County whose parents are engaged in a highly contested custody case. The CAP team is appointed by the court or upon a motion by the parties in cases that involve high conflicts, sexual or physical abuse allegations, substance abuse allegations, or psychological disorders. These cases are often the most difficult to

resolve, as the parties have either failed to successfully mediate conflicts through the court system or have waived mediation due to domestic violence allegations.

How does CAP serve children?

The Custody Advocate Program utilizes a structured team approach to investigate each case. The CAP team consists of a staff attorney, a volunteer attorney from the local bar and a trained custody advocate. The CAP team interviews clients and collateral witnesses, conducts home visits, gathers school, medical and mental health records, as well as other required documents, conducts settlement conferences, attends party depositions, drafts motions and other court related documents, and, if necessary, prepares for and attends trial. The staff attorney fills an ongoing advisory role to the other team members and provides direct representation of the child when needed.

I am involved in a custody dispute, how can I get help?

We are unable to take custody related cases over the phone as we only take court-appointed cases. We cannot answer custody questions or hear about a case that we have not been appointed to because this can compromise our neutrality if a judge later appoints us to become involved in the case. When we are court appointed to a case, we never represent adults or parents involved. We only represent the best interests of the child(ren) involved. If you have a custody concern, we recommend that you call a private attorney or go to Mecklenburg County's Self Service Center in the Civil Court Building where you can fill out custody paperwork without having your own attorney.

Why does CAP use so many volunteers?

Because of the high volume of cases and the complexity of custody and visitation issues, effective case management demands heavy involvement from pro bono attorneys and community volunteers. Our highly committed volunteer attorneys and advocates donate skill and legal expertise to effectively represent the best interests of children. This amount of volunteer work allows the CAP program to reallocate staff hours for case investigation, direct litigation, team supervision, volunteer training and program structuring.

I care about kids, how can I get involved?

You can become a **Volunteer Attorney** or a **Volunteer Advocate!** CAP Volunteer Attorneys conduct settlement conferences; attend party depositions; draft motions and other court related documents; and prepare for and attend trial. Volunteer attorneys donate their legal expertise to effectively advocate on behalf of those children who are caught in the middle of the most contested situations. CAP Volunteer Advocates interview clients and collateral witnesses; conduct home visits; and gather school, medical and mental health records, as well as other required documents. CAP volunteers are highly driven, committed to kids well-being, and thus, find this volunteer job very rewarding.

CAP training sessions take place twice a year, with videotape training available throughout the year. CAP training sessions are included in the Continuing Legal Education Program at a reduced rate for pro bono credit to attorneys who commit to volunteering with our program. Contact Mary Schilli, the volunteer coordinator, if you have questions about getting involved. mary@cfcrights.org.