

Lawyers Promoting Competency in Juvenile Court

What happens to children in our juvenile justice system when they are declared to be mentally incompetent to stand trial? Are their cases closed without the benefit of services? Are they written off by our juvenile justice system as beyond hope? Do they have the benefit of a lawyer who is responsible for looking out for their best interests?

Thanks to Lawyers Promoting Competency in Juvenile Court (LPC), a project that is currently being implemented at the Fulton County Juvenile Court, children in Fulton County are not written off as helpless and hopeless. Rather, when a child is declared to be incompetent, he or she is assigned a Guardian Ad Litem (GAL) who participates in the development and implementation of a mental competency plan that helps the child, whether that means assisting the child with becoming competent or, for those children who will always have competency issues, helping the child stabilize in the best environment possible.

Currently, Hunton & Williams lawyers, and to a limited extent, attorneys in private practice, serve as GALs for mentally incompetent youth in Fulton County. The number of mentally incompetent youth, however, has significantly increased. In response, LPC is seeking a pool of skilled, compassionate attorneys who are willing to protect the interests of these youth.

Involvement in a case begins when the GAL is contacted by Dr. Constance West, Coordinator of the Fulton County Juvenile Court's Mental Health Clinic, regarding a child who has recently been declared incompetent. From that point forward, the GAL is the person responsible for looking out for the best interest of the child. This means participating in competency plan meetings to discuss what steps and services are necessary to protect the child and the community, including educational services, mental health and/or substance abuse treatment services, supervision etc., participating in any meetings to discuss the child's progress in his or her plan, and attending any court hearings related to the child's plan. Of course, to effectively represent the child's best interest, the GAL also meets with the child and learns about him or her and his or her needs.

This is an exciting time to be a GAL assisting children who have been declared to be mentally incompetent to stand trial because this is a developing area of law that continues to be defined. The GALs may have input into how the court system should supervise, rehabilitate, and protect children who have competency issues.

As our system has begun to recognize mental competency issues in children, more children are in desperate need of a Guardian to protect their interests. If you are interested in volunteering to be a GAL, please contact Christopher Yokom, the intake attorney at the Fulton County Juvenile Court, at Christopher.Yokom@co.fulton.ga.us or 404-224-4537.

This is part of a continuing series dedicated to raising awareness of, and pro bono support for, critical legal services programs for Georgia's children and youth. The Lawyers' Challenge for Children, an initiative of the YLD and the Juvenile Law Committee, has been created to highlight innovative programs that serve Georgia's most vulnerable populations. The need for appropriate legal representation is particularly profound for children. Please look for ways to offer your support throughout the coming year. For more information about the Lawyers' Challenge for Children Campaign, please e-mail Leigh Schrope, at leighstevensoh@hotmail.com.