Catholic Charities Disabilities Services	
Agency Standard and Procedure	
Standard Category	Administration
Standard Title	Agency Response to Individuals Supported Needing Legal Representation
Regulations	
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Approved by: **Paula Jubic, Executive Director**	

Standard:
There may be occasions when individuals supported by Catholic Charities Disabilities Services (CCDS) need legal representation as either the victim or alleged perpetrator of a crime. CCDS will review each incident to determine what level of support is appropriate given the circumstances.

Procedure:

1. General
    a. Under no circumstance will CCDS hire an attorney or pay the legal fees for an individual supported.
    b. If the individual supported has an involved relative, natural support, or guardian, they will make the decision on legal representation for the individual supported.
    c. If the individual supported is their own guardian, and there is not an involved relative or natural support, the individual supported will make the decision on legal representation.
    d. If the individual supported does not have the capacity to make the decision, CCDS will consult with Mental Hygiene Legal Services (MHLS) for guidance.
    e. If the individual supported, involved relative, natural support, or guardian does not have the financial means to hire a lawyer, CCDS will recommend they utilize the public defender to represent the individual supported.
    f. At no time should any CCDS employee provide the individual supported with legal advice.

2. Individual Supported is the Alleged Perpetrator
    a. If the individual supported is arrested, CCDS will not be responsible for posting bail for the individual.
    b. If necessary, CCDS can assist the individual supported with researching lawyers to utilize for legal representation.
    c. CCDS staff can transport the individual supported to court dates or meetings with their lawyer if that level of support is needed.

d. Efforts will be made to provide the individual supported with any needed emotional support through the criminal justice process.

3. Individual Supported is a Victim
    a. CCDS staff will provide emotional supported as needed by the individual supported.
    b. CCDS staff will present the option of the individual supported pressing charges against the perpetrator, but will not attempt to influence their decision.
    c. If the individual supported chooses to press charges, CCDS staff will provide the assistance needed to assist the individual supported with contacting police and filing a report.
    d. CCDS staff may provide the individual supported with education regarding options for legal representation if necessary. However, the individual supported, their guardian, involved relative, or natural support will be responsible for choosing the lawyer they would like to use.
    e. CCDS staff may transport the individual supported if necessary and attend any court proceedings if requested.
    f. CCDS staff will continue to provide emotional support throughout the criminal justice process as needed by the individual supported.