

Quick Tips: Legal Advocacy

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Purpose: Patients receiving medication-assisted treatment (MAT) frequently face concurrent legal issues. The legal system often presents both a barrier to effective MAT and a tool for facilitating recovery. If your organization does not provide legal services on-site or other legal advocacy resources, this page contains basic information about legal encounters your patients may face to help inform your practice and empower you to engage in advocacy for your patients.

Considerations when serving clients involved in the legal system:

- Be aware that many patients may not reference legal issues during patient encounters. Because of this, it is important to educate all patients about basic advocacy talking points should they encounter common legal issues regarding MAT.
- Remain open to providing legal advocacy in the form of letters.
 - You may find it helpful to designate a specific person as your “Legal Support Navigator” or similar role. This person would be the primary contact for individuals experiencing legal issues who require letters of support, letters confirming adherence to MAT, and more.
 - While form letters may help you get started, the most effective letter is a personal one. Use only enough information to convey the desired message, but ensure that the letter clarifies that the individual is personally known to the practice.
- Build relationships with key partners
 - If there are legal providers in the area that you frequently interact with, consider meeting with them to develop a mutual understanding of MAT by sharing core principles and general information about the role and implementation of MAT. Invite them to tour your facility. Speak with them in general terms about treatment protocols. Encourage them to ask questions about MAT. Ask them if there is any way you can set up a direct contact between organizations to facilitate coordination of care. Ascertain if there are ways you can help each other (e.g. direct referral process).

Resources for the team

- When writing a letter of support, you can use these [instructions](#) and [template](#) to get started. Once you have written a few, you may want to create a customized template for your clinic and/or add it as a document within your EHR.
- [Talking Points](#) for Helping MAT Patients Develop Self-Advocacy Skills
- Common legal interactions you may have:

DCPP Cases (NJ Specific)	Type of Case: <ul style="list-style-type: none">• Child protection abuse/neglect case Key Players <ul style="list-style-type: none">• Parent’s attorney (through OPR)
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	<ul style="list-style-type: none"> • Division’s attorney (DAG) • Child’s attorney (LG) • Caseworker: may be investigation worker, permanency worker, adoption worker, or others depending on stage and type of case • Transportation worker: responsible for transporting children and supervising visits
Municipal Cases	<p>Type of Case</p> <ul style="list-style-type: none"> • “Traffic court,” arraignment for lesser offenses, as fines and fees issues <p>Key Players</p> <ul style="list-style-type: none"> • Municipal Prosecutor • Public Defenders • Court clerk/administrator
Criminal Cases in Superior Court	<p>Type of Case</p> <ul style="list-style-type: none"> • What many people think of as “court” <p>Key Players</p> <ul style="list-style-type: none"> • Prosecutor • Public Defender or Private Defense Attorney
Drug Court	<p>Type of Case</p> <ul style="list-style-type: none"> • Cases diverted from other courts due to the nature of the offense and the client’s substance use <p>Key Players</p> <ul style="list-style-type: none"> • Prosecutor • Public Defender or Private Defense Attorney • Ancillary personnel
Civil Commitment	<p>Type of Case</p> <ul style="list-style-type: none"> • Typically, proceeding for individuals to be placed or remain in inpatient mental health treatment <p>Key Players</p> <ul style="list-style-type: none"> • DAG or the State’s attorney • Public Defender from Division of Mental Health Advocacy • Hospital staff

- Managed Care Organizations operate case management teams that provide additional services or help answer questions about how to get patients into behavioral health settings. Reach out to your network representative, or have the patient or OBAT Navigator call the MCO member services to learn more about the in-network resources and the MCO case management support for behavioral health needs.

Additional Resources

- MyResourcePal - social service directory that also includes information on legal resources.
- Glossary of Terms

There are a lot of abbreviations you may encounter when advocating for MAT patients in the legal context:

- CASA – Court Appointed Special Advocate, a lay person sometimes appointed to follow and support a child for the duration of a DCPD matter
- CS or CSE – Child Support (Enforcement)
- DAG – Deputy Attorney General, the state’s attorney especially in DCPD matters
- DCF – Department of Children and Families
- DCPD – Division of Child Protection and Permanency (formerly DYFS)
- FRO – Final Restraining Order
- LG – Law Guardian, the child’s attorney in a DCPD matter
- MC – Municipal Court
- OPD – Office of the Public Defender
- OPR – Office of Parental Representation, part of OPD, they provide PDs for parents accused of abuse or neglect in a DCPD matter
- PD – public defender
- PO – probation officer
- ROR – released on own recognizance (without bail)
- SLAP – Sheriff’s Labor Assistance Program, supervised work in the community in lieu of jail
- TPR – Termination of Parental Rights, a special type of trial to permanently sever parental relationship with child in DCPD matters
- TRO – Temporary Restraining Order

