

Top Ten Education Questions To Ask Your Client at Arraignment

We encourage delinquency attorneys to ask their clients early in their representation these *Top Ten Education Questions* because school failure is one of, if not the most significant, predictors of future court involvement. By investigating and addressing school issues for your clients you may gain insight into the current case and most certainly will decrease the likelihood that he or she will have future court involvement.

By Marisol Garcia, Esq., Lowell, Mass and Marlies Spanjaard, Esq. EdLaw Project

1 Does any teacher or administrator at your school know about this case?

Did the incident leading to charges occur in school?

Has there been a meeting at school regarding this incident and/or this case?

Do you attend school with an alleged victim or co-defendant?

Is this is a felony charge? (see MGL Chapter 70 section 37 H 1/2)

2 How are you doing in your classes?

What were your grades on your last report card?

If grades are not good, how long have your grades been poor?

Have you ever repeated a grade?

Are there any personality conflicts with teachers, students or other people at school?

3 What is your attendance record?

How many days have you missed in the past month?

How many days a month do you arrive late for school?

Are you frequently tardy?

Is it a transportation issue? Is there a safety concern?

4 Do you have an Individualized Education Plan/ IEP?

Are you or have you ever been in small classes?

Are you pulled out for any services in school?

Are you getting the services you are supposed to be?

When was the last time parent and student attended a team meeting?

Did the school conduct a manifestation?

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5 Have you ever been suspended or expelled from school?

What was the reason for the exclusion?

How long were you out of school?

6 Are you or have you ever been on medication?

Which medication? What was it for? Who prescribed it?

How long have you been taking the medication? Do you take it regularly?

7 Do you have any major illnesses?

Have you ever been hospitalized?

Have you ever had a head injury?

Do you have any untreated conditions?

Does school know about these conditions?

8 Do you receive any counseling?

Is it in school or out of school? Is it one-on-one or in a group?

How long has the counseling been going on?

Could the provider provide any professional insight or support for this case?

9 Are you involved with a state agency?

Dept. of Children and Families/ Dept. of Mental Health/Dept. of Dev. Disabilities?

Do you have a social worker?

Are there any supports in place that can be helpful to this client?

10 Do you have a CHINS case?

Who is your lawyer?

Who is your probation officer?

What is the CHINS for?

Can the social worker be supportive in this case?

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The EdLaw Project Is an Initiative of:

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