

# National Association of Counsel for Children

## NACC Standards for Child Welfare Law Specialist Certification – South Carolina

[Revised 2026]



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### Section 1: Definitions

<b>1.1</b>	“Applicant” means a person who is applying for initial certification or recertification as a Child Welfare Law Specialist.
<b>1.2</b>	“Child welfare law” means the practice of law representing any party or case participant in all child protection proceedings including but not limited to the representation of children, parents, government agencies, tribes, foster/resource parents, non-offending parents, guardians, adopters, kin, and other intervenors; such proceedings to include but not be limited to emergency, temporary custody, adjudication, disposition, foster care placement, permanency planning, termination, guardianship, and adoption proceedings. Child welfare law does not include representation in private custody and adoption matters where there has been no finding of dependency and the government is not a party.
<b>1.3</b>	“Child Welfare Law Specialist (CWLS)” means a person who has been certified by NACC under these Standards and is in good standing.

1.4	“CWLS Certification Committee (Committee)” means the 10-member body responsible for reviewing and approving or denying applications for initial CWLS certification and recertification; reviewing escalated disciplinary issues and determining appropriate action, if any; and hearing and deciding appeals. The CWLS Certification Committee is divided into two sub-committees, the Even Committee Panel and the Odd Committee Panel, each of which serves as the appellate body to the other. All members of the Committee shall be lawyers or judges with substantial involvement in child welfare law.
1.5	“NACC” means the National Association of Counsel for Children.
1.6	“Standards” means these NACC Standards for Child Welfare Law Specialist Certification – South Carolina.
<b>Section 2: General Principles</b>	
2.1	NACC’s CWLS certification program is dedicated to the identification of attorneys who possess an enhanced level of skill and expertise in child welfare law as well as integrity and dedication to the interests of their clients, and to the development and improvement of the professional competence of attorneys in the field of child welfare law. CWLS applicants and certified specialists shall continually maintain and demonstrate these qualities in all aspects of practice and professional performance.
2.2	CWLS certification is individual, voluntary, and open to all who qualify. It is the policy of NACC not to discriminate against any individual or group on the basis of race, culture, ethnicity, national origin, religion or religious beliefs, disability, sex, sexual orientation, gender identity, gender expression, or age.
2.3	CWLS certification shall not limit the right of an attorney to practice in any field of law, and the Standards shall not be interpreted to require an attorney to obtain CWLS certification before practicing in the field of child welfare law.
2.4	Applications for initial CWLS certification, recertification, and annual reporting shall be submitted in the format designated by NACC and accompanied by the appropriate fee.
2.5	An applicant for initial certification must complete all requirements within 3 years of application. An applicant has 1 year to complete the initial phase and be approved by the CWLS Certification Committee at which time an applicant has 3 opportunities to sit for the exam. If the certification process is not completed within the 3-year period, the applicant must reapply and resubmit all required fees.
2.6	Certification shall be for 5 years as long as all annual reporting requirements are met, at which time the CWLS must apply for recertification. Failure to comply with reporting requirements and/or recertification submission will result in a lapsed certification.
2.7	Certification may lapse or be denied or revoked at any time for failure to satisfy the requirements of these Standards.
2.8	Certified CWLS shall only publicize their certification in accordance with the Rules of Professional Conduct in their jurisdiction(s). Individuals shall not publicize their CWLS certification prior to its being granted nor shall they continue to publish their certification after it has lapsed or been denied or revoked.
2.9	All information submitted to NACC shall be privileged and confidential, except as compelled by law, and except that NACC may reveal the fact of an application for the purpose of verifying information submitted

	by an applicant, and for the purpose of making such inquiries with respect to the character and professional reputation of the applicant/CWLS as may be authorized by the Standards.
<b>2.10</b>	Neither NACC membership nor participation in educational programs offered by NACC is a requirement for CWLS certification.
<b>Section 3: Initial Certification Requirements</b>	
<b>3.1</b>	<b>Substantial Involvement and Period of Practice.</b> The applicant must have been engaged in the practice of law for at least 5 years and spent each of the 3 years immediately preceding application substantially involved in the practice of child welfare law. The applicant must make a satisfactory showing of substantial involvement in child welfare law, with the time spent practicing child welfare law being equivalent to at least 25% of a full-time practice, in each of the 3 years immediately preceding application.
<b>3.1.1</b>	<p><b>Evidence of Substantial Involvement.</b> Evidence of substantial involvement <i>may</i> be shown by the following activity over the 3 years preceding application. (The following are sample criteria for substantial involvement. Although applicants meeting each of these criteria would clearly satisfy this requirement, applicants are not required to meet all these criteria):</p> <ul style="list-style-type: none"> <li>a. Participation in 45 child welfare matters</li> <li>b. Direct or cross examination of 25 lay witnesses</li> <li>c. Direct or cross examination of 10 expert witnesses</li> <li>d. Referral of 25 child welfare matters to collateral systems, such as the education system, mental health system, criminal, immigration, or other system, which demonstrates applicant’s knowledge of and appreciation for representing the whole client</li> <li>e. Making 25 visits to the community, such as a home visit to a client, foster parent, family resource, the case address, field office, or scene of the crime</li> <li>f. Consultation with a non-legal expert on some aspect of child welfare, child development, or medical or related issues in 10 cases</li> <li>g. Consultation with a non-legal professional on some aspect related to the representation of the client’s interests in 20 cases</li> <li>h. Collection of relevant information from outside sources in 45 cases</li> <li>i. Participation in 10 negotiated settlements</li> <li>j. Participation in 5 appellate or writ matters</li> <li>k. Authorship of multiple trial-level pleadings</li> </ul>
<b>3.1.2</b>	<p><b>Waiver for Attorneys Involved in the Child Welfare Law Field in an Alternative Capacity.</b> The requirements of Sections 3.1 and 3.1.1 may be waived for any applicant who has spent time equivalent to at least 25% of a full-time practice in each of the 3 years immediately preceding application involved in the child welfare law field in an alternative capacity as:</p> <ul style="list-style-type: none"> <li>a. A judge or magistrate hearing child welfare law cases;</li> <li>b. A child welfare law and policy advocate including a judicial, staff, or resource/research attorney, consultant, or technical assistance provider;</li> <li>c. A child welfare law professor, faculty member, or trainer;</li> </ul>

	<p>d. A supervisor, director, or other non-case-carrying manager of a child welfare law firm, unit, or organization; or</p> <p>e. An attorney involved in an intersecting field such as juvenile defense, custody/family law, education, public benefits, child support, immigration, housing, health care, mental health/substance use, or disability law. Attorneys in intersecting fields must have previously met the requirements of Sections 3.1 and 3.1.1 during their career, must demonstrate an ongoing dedication to child welfare law, and must provide a separate detailed explanation of how their current work intersects with, supports, and addresses the complexities of child welfare law. Attorneys applying in this capacity whose practice does not substantially intersect with child welfare law and who have not previously met the requirements of Sections 3.1 and 3.1.1 during their career shall not be eligible for CWLS certification.</p>
<p><b>3.1.3</b></p>	<p><b>Verification.</b> A detailed resume/CV must be provided at the time of initial application and recertification evidencing substantial involvement in the field of child welfare law directly or in an alternative capacity including places of employment, dates of employment, titles held, duties and responsibilities, and states and dates of licensure. All applicants are required to swear or affirm that the evidence of substantial involvement in child welfare law directly or in an alternative capacity is true and accurate.</p>
<p><b>3.2</b></p>	<p><b>Educational Experience.</b> The applicant must demonstrate participation in continuing legal education relevant to child welfare law in the 3-year period immediately preceding application by:</p> <ul style="list-style-type: none"> <li>a. Attendance at no fewer than 36 hours of continuing legal education programs, including in-house staff trainings, accredited by the South Carolina Commission on CLE and Specialization (the SC Commission) and acceptable to the CWLS Certification Committee (NACC preapproval is not required); and/or</li> <li>b. Equivalent participation through, but not limited to, the following means if approved for credit by the SC Commission and acceptable to the CWLS Certification Committee (NACC preapproval is not required): <ul style="list-style-type: none"> <li>i. Teaching courses or seminars in child welfare law;</li> <li>ii. Participation as panelist, speaker, or workshop leader at educational or professional conferences in child welfare law;</li> <li>iii. Authorship of books or of articles published in professional journals in child welfare law.</li> </ul> </li> </ul> <p>Topics deemed relevant to child welfare law include but are not limited to substantive and procedural law, trial practice, alternative dispute resolution, child abuse and neglect, child development, family dynamics, trauma-informed lawyering, ethics, recognition and elimination of bias, and selfcare.</p>
<p><b>3.3</b></p>	<p><b>Peer Review.</b> The applicant must submit the names of no fewer than 5 attorneys and/or judges who are knowledgeable regarding child welfare law and are familiar with the competence of the applicant, and none of whom are related to or in private, for-profit legal practice with the applicant, to serve as peer reviewers. A review from an individual who has served as opposing counsel is encouraged as is a review from a judicial officer before whom the applicant has appeared in child welfare proceedings.</p>
<p><b>3.3.1</b></p>	<p><b>Collection of Peer Reviews.</b> NACC will solicit confidential questionnaires from all persons listed as reviewers and may solicit confidential questionnaires from other persons familiar with the applicant's practice though not specifically named by the applicant. All questionnaires received will be reviewed by the CWLS Certification Committee to assess whether the applicant has demonstrated an appropriate level of skill, expertise, integrity, and dedication. A minimum of 5 peer</p>

	reviews satisfactory to the CWLS Certification Committee must be submitted before an application will be approved.
<b>3.3.2</b>	<b>Confidentiality of Peer Reviews.</b> The applicant shall waive any right to review confidential questionnaire responses or other evaluations and references made to NACC, whether from persons named by the applicant or independently solicited by NACC.
<b>3.4</b>	<b>Good Standing.</b> The applicant shall furnish evidence of current admission to practice in one or more states or territories of the United States or District of Columbia as well as evidence of good standing in all states or territories where the applicant is actively licensed.
<b>3.5</b>	<p><b>Disclosure of Conduct.</b> To assist the evaluation of whether the applicant possesses an appropriate level of skill and expertise and has demonstrated integrity and dedication to the interests of clients, the applicant shall, to the extent known, disclose to NACC on the initial application and as soon as permitted by law:</p> <ul style="list-style-type: none"> <li>a. If the applicant has been disbarred, suspended, publicly or privately reprimanded or admonished, placed on diversion or probation, or otherwise disciplined by the state bar of any state, by a state or federal court, or by any other entity which has authority over attorney discipline, together with all details;</li> <li>b. If the applicant has been the subject of a disciplinary lawsuit or action or a complaint or inquiry with a grievance committee of any bar association or with the designated disciplinary entity of any state or territory, together with all details if the result was anything other than dismissal; and</li> <li>c. If the applicant has been accused of, indicted, convicted, given probation, or fined for a felony crime or for legal malpractice regardless of (1) whether a conviction resulted from a plea of guilty or nolo contendere; (2) whether a conviction resulted from a verdict after trial or otherwise; or (3) whether an indictment or an appeal is currently pending, together with all details.</li> </ul>
<b>3.5.1</b>	<b>Findings.</b> The CWLS Certification Committee shall determine, in accordance with these Standards, what action to take, if any, or whether action should be deferred pending receipt of additional information. The Committee will take into consideration any findings made by other bodies concerning such conduct but is not bound by any such findings and will make its own independent assessment concerning how such conduct bears on whether an attorney is qualified to obtain or maintain CWLS certification.
<b>3.5.2</b>	<b>Failure to Disclose.</b> The failure of an applicant to disclose such conduct is a material misrepresentation and may be cause for denying an application, or for admonition or revocation of a certification. The applicant shall have a continuing duty to disclose such matters to NACC.
<b>3.6</b>	<b>Writing Sample.</b> The applicant shall submit a writing sample written by the applicant within 3 years of application demonstrating legal analysis in the field of child welfare law. The sample at a minimum must (1) be related to a child welfare case or child welfare law, policy, or practice; (2) contain at least one citation of child welfare case law, statute, regulation, or code; (3) include the applicant's name; and (4) include the date the writing sample was written or filed. Examples of acceptable types of writing samples include memos, briefs, policy/position papers, articles, proposed orders, motions, or any other legal pleading that satisfies the criteria above. The sample does not need to have been officially filed in court and may be written specifically for the purpose of fulfilling this application requirement. If the sample is from a real case, client names should be redacted or replaced.

<b>3.7</b>	<b>Examination.</b> Upon application review and approval by the CWLS Certification Committee that the requirements of Sections 3.1 through 3.6 have been met (see Section 5), the applicant must pass NACC’s CWLS written competency examination. The exam may not be taken before the application is reviewed and approved by the Committee. The applicant will have 3 opportunities to pass the CWLS exam – once in the same calendar year as Committee approval and once in each of the 2 subsequent calendar years. If the applicant does not sit for the exam or does not pass the exam during that period, the application will expire, and certification will not be granted. This is not considered an application denial, rather an expiration. This does not prevent an applicant from reapplying in the future.
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<b>3.7.1</b>	<b>Examination Result.</b> An applicant who fails the CWLS exam is provided with their exam score and may request a Strengths and Opportunities Report which highlights multiple choice question topic areas where the applicant performed well and areas where future study could be focused. An applicant who passes the exam is not provided with their exam score and is considered a certified Child Welfare Law Specialist upon notification of passage. No applicant is entitled to review their performance on any individual exam question. See Section 8 regarding exam appeals.
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### Section 4: Annual and Ongoing Requirements

<b>4.1</b>	<b>Annual Reporting.</b> CWLS shall submit an annual report and fee including a Disclosure of Conduct form regarding the matters addressed in Section 3.5. Failure to submit the annual report (or recertification application which replaces the annual report every five years) will result in a lapsed certification.
<b>4.2</b>	<b>Ongoing Duty to Report and Failure to Disclose.</b> CWLS shall have a continuing duty to disclose any matters addressed in Section 3.5 to NACC as soon as they are known, not only at the time of annual reporting. Failure to disclose such conduct is a material misrepresentation and may be cause for admonition, denial of recertification, or revocation.
<b>4.3</b>	<b>Compliance with Rules of Professional Conduct and Advertising.</b> CWLS shall be responsible for continuous compliance with the requirements and restrictions specific to their jurisdiction(s) with respect to advertising or communicating their specialist certification. CWLS may advertise the fact of their certification by NACC to the extent allowable and in a manner and language consistent with the Rules of Professional Conduct in their jurisdiction(s). CWLS shall not state or imply that they are certified or accredited in child welfare law by the American Bar Association.
<b>4.4</b>	<b>Upholding Principles.</b> CWLS shall continually maintain and demonstrate the qualities identified in Section 2.1 in all aspects of practice and professional performance.
<b>4.5</b>	<b>Noncompliance.</b> CWLS who are found noncompliant with ongoing requirements shall be subject to the potential actions identified in Section 7.

### Section 5: 5-Year Recertification Requirements

<b>5.1</b>	<b>Substantial Involvement and Period of Practice.</b> The applicant must satisfy the requirements set forth in Section 3.1 and subparts except that all references to “each of the 3 years” in that section shall be read as “at least 3 of the 5 years” for purposes of recertification.
<b>5.2</b>	<b>Educational Experience.</b> The applicant must satisfy the requirements set forth in Section 3.2 of these Standards except that the minimum number of hours shall be 75 and all references to “3-year period” in that section shall be read as “5-year period” for purposes of recertification.

5.3	<b>Peer Review.</b> The applicant must satisfy the requirements set forth in Section 3.3 and subparts.
5.4	<b>Good Standing.</b> The applicant must satisfy the requirements set forth in Section 3.4 of these Standards.
5.5	<b>Disclosure of Conduct.</b> The applicant must satisfy the requirements set forth in Section 3.5 and subparts.
<b>Section 6: CWLS Certification Committee Review</b>	
6.1	<b>Committee Review.</b> Applications for certification and recertification and interim matters escalated on an annual report or otherwise made known to NACC shall be reviewed by the CWLS Certification Committee, the 10 members of which shall be lawyers or judges with substantial involvement in child welfare law. Each of the 10 members is assigned to either the 5-member Even Committee Panel or the 5-member Odd Committee Panel. Each applicant is assigned a registration number. Even-numbered applicants/CWLS are reviewed by the Even Committee Panel and odd-numbered applicants/CWLS are reviewed by the Odd Committee Panel.
6.2	<b>Committee Decisions and Discretion.</b> Each CWLS Certification Committee Panel member is entitled to vote upon all matters before that Panel including but not limited to initial and recertification applications, escalated annual report review, and informal substantial involvement determinations. A Committee decision to approve an initial application allows the applicant to progress to the CWLS exam phase. A Committee decision to approve a recertification application allows a CWLS to remain certified until their next 5-year recertification provided all annual reporting requirements are met. Adverse decisions may be made for failure to meet any of the requirements or principles in these Standards at the discretion of the CWLS Certification Committee (see Section 7).
6.3	<b>Committee Authority.</b> Only the CWLS Certification Committee has the authority to approve or deny an application for certification or recertification, revoke or sanction a certification, or consider and decide appeals. NACC staff, NACC leadership, and the NACC Board of Directors do not have such authority.
<b>Section 7: Denial, Revocation, Sanction, or Lapse</b>	
7.1	<b>Denial.</b> An applicant for certification or recertification may be denied for failure to meet any of the requirements or principles in these Standards at the discretion of the CWLS Certification Committee. An applicant/CWLS who is denied certification or recertification may not reapply until one year after the date of such denial. An applicant/CWLS may appeal a denial decision (see Section 8).
7.2	<b>Revocation.</b> An existing certification may be revoked at any time for failure to meet any of the requirements or principles in these Standards at the discretion of the CWLS Certification Committee. Disbarment shall operate as an automatic revocation of CWLS certification. An individual whose certification has been revoked is barred from reapplying. A CWLS may appeal a revocation decision (see Section 8).
7.3	<b>Sanction.</b> A CWLS may be issued a letter of admonition for failure to comply with any of the requirements or principles in these Standards at the discretion of the CWLS Certification Committee. Letters of admonition may include a warning regarding potential consequences (denial or revocation) for subsequent offenses or failure to correct the behavior in question. A CWLS may appeal a sanction decision (see Section 8).

<b>7.4</b>	<b>Lapse.</b> The lapse of a CWLS certification for failure to comply with annual reporting or recertification submission may be remedied by completion of outstanding requirements. A lapse of certification is not considered an adverse CWLS Certification Committee decision and does not carry appeal rights.
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<b>7.4.1</b>	<b>If License is Suspended.</b> If an individual’s license to practice law is suspended, this shall operate as an automatic lapse of CWLS certification and may result in denial, revocation, or sanction even if the suspension is lifted. Denial, revocation, and sanction decisions do carry appeal rights.
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<b>Section 8: Appeals</b>	
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<b>8.1</b>	<b>Appeal Rights.</b> An applicant/CWLS who is subject to an adverse decision of the CWLS Certification Committee (denial, sanction, or revocation) or exam failure may submit an appeal to NACC within 30 days of the notice of adverse action. An exam failure may be appealed on procedural grounds if the applicant believes that the failure was due to the exam-taking process or procedure being unfair, biased, arbitrary, or flawed in some other respect. An exam score itself cannot be appealed and cannot be adjusted by the CWLS Certification Committee. The appeal may be informal but must be in writing and adequately identify the adverse action, the date on which the applicant/CWLS was notified of the action, their argument against the action, and the relief requested. The appeal must be received within 30 days of notice of the adverse action, otherwise appeal rights are forfeited.
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<b>8.2</b>	<b>Appellate Panel.</b> Appeals shall be heard by the alternate 5-member CWLS Certification Committee Panel than corresponds to the appellant’s registration number (i.e., appeals from appellants with even registration numbers or regarding adverse decisions of the Even Committee Panel are heard de novo by the Odd Committee Panel, and vice versa). At its discretion, the Appellate Panel may ask for additional information before making a decision. Although there is no right to a hearing on appeal, the Appellate Panel may, at its discretion, grant the appellant a remote hearing if requested. The Appellate Panel members shall vote on whether to grant the requested relief. The appellant shall be advised of the Appellate Panel’s decision in writing within 15 days after the decision has been made.
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<b>8.3</b>	<b>Appeals Final.</b> Decisions of the Appellate Panel are final.
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