

Youth in Court
Policy and Procedures for Social Workers

Presumption: Youth should attend every court hearing

Exceptions:

1. If the youth has been timely informed of the hearing and its importance and chooses not to attend.
2. If there is compelling reason why the youth's attendance at the hearing would be harmful to the youth.

Team: GAL, social worker, youth, caregivers, therapist (if needed). Team meets at least 2 weeks before hearing (in person or conference call) and determines:

1. Whether youth will attend court hearing.
2. Who will transport the youth.
3. What accommodations need to be made and how.
4. Who the support person (if necessary) will be to accompany the child.
5. What, if any, compelling reasons exist to exclude the youth and what accommodations can be made to address them.
6. If the team cannot agree, the GAL will request the judge make a determination whether the youth should attend.

The team need only meet initially to determine a plan for involving the youth and then only if there is a change in the case to warrant a change in court attendance.

Determining whether the child should attend the court hearing:

1. Explain to the youth what type of hearing it will be, who will attend and what you expect to happen.
2. Help the GAL explain why it is important for the youth to participate and ask whether the youth would like to attend.
3. Talk to the youth about what your role is in the court proceeding and what you expect to be reported about the youth's progress in the system.
4. Look at schedule conflicts the youth may have.
5. Consult with the youth's therapist to determine if there are any concerns with the youth attending the court hearing.
6. Provide your thoughts to team.

Prepare the youth for the court hearing:

1. Provide the youth 2 weeks notice of the hearing.
2. Let the youth know that he may have to wait for a couple of hours and to bring school work or other things to occupy his time.
3. Discuss who will be present at the hearing and what their roles are.
4. Tell the team whether the youth wants a supportive person present during the hearing.
5. Let the youth know what is in the social workers' report to the court.
6. Help the youth write down what the youth wants the judge to know.
7. Tell the GAL what the youth's opinion is on placement, goals, services, visitation, etc.

8. Tell the team whether the youth wants to speak with the judge in chambers.
9. Tell the team whether the youth should attend the whole hearing or be excused for portions.
10. Arrange transportation to the hearing with the youth's placement provider.

Prepare the foster parent/group home staff for the court hearing:

1. Provide 2 weeks notice of the hearing.
2. Ask them to transport the youth.

Debrief the youth after the hearing:

1. Spend time with the youth after the hearing to talk about what happened during the hearing.
2. Help the youth craft questions to ask the GAL about what happened.
3. Ensure the youth understands what happened.
4. Contact the caregiver after the hearing to inform them of anything that happened during the hearing that might have impacted the youth.
5. Contact the youth's therapist to provide information that might be relevant to the youth's treatment.
6. Determine whether the youth should see a therapist to further debrief from the hearing.