

Youth in Court
Policy and Procedures for Foster Parents

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 (foster parent, relative, congregate care staff), 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.

In determining whether a child should attend the court hearing with the team, the caregiver should be prepared to discuss, to the extent possible:

1. Any scheduling conflicts the youth may have.
 - a. School
 - b. Therapy
 - c. Extra curricular activities
2. Whether the youth has expressed interest in attending court.
3. Whether transportation will be an issue.
4. Whether the youth has had any problems seeing parents or anyone else who may attend the court hearing.
5. Thoughts on how the child may react to discussions about the case or court hearings.
6. Thoughts on how the child may respond to participating in court hearings.
7. Whether any accommodations need to be made for the youth to participate.

Preparing the youth for the court hearing:

1. Arrange transportation.
2. Make any schedule changes so the youth does not miss out on activities.
3. Contact the school to inform them and get homework.
4. Be available as a support person for the youth during the hearing.

Debrief after the court hearing:

1. If you attended the court hearing, talk to the youth about what happened and whether the youth has any questions.
2. If you did not attend the court hearing, take guidance from the GAL and social worker about how the youth responded and what reactions you should watch for and how to respond.
3. Contact the GAL and social worker if the youth has any unanswered questions.
4. Do not push the youth to talk about the court hearing if the youth doesn't wish to.
5. Be available as a support person if the youth wants to talk about the court hearing.