

# What about us?

Engaging foster families and  
youth in court hearings

## **Speakers**

- Andria Jones, Court Improvement Program
- Gabe Conley, Court Improvement Program
- Marissa Sanders, West Virginia Foster, Adoptive, & Kinship Parents Network

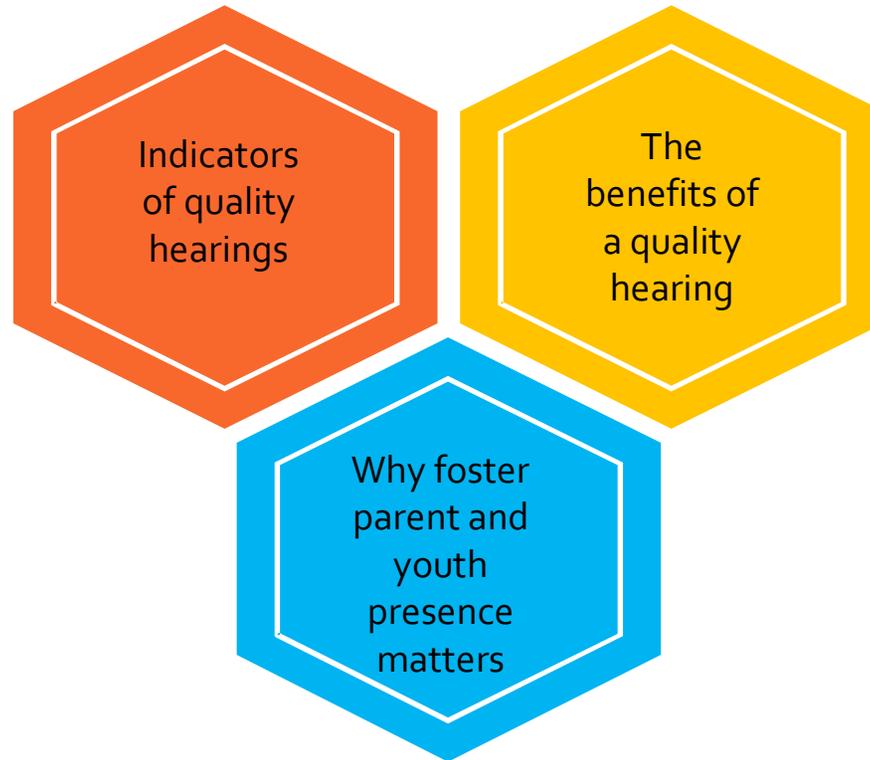
## **Videos**

- Nicole
- Alexis

## **Panel**

- Kim Runyon Wilds, Western Regional CASA
- Evan Sprigle, DHHR Youth Policy Specialist

*What About  
Us?*  
Learning  
objectives



# Indicators of a Quality Hearing

Elements, that if included in court hearings and reviews, may increase the likelihood that a quality court hearing or review will occur.

Legal representation and engagement

Collateral information reviewed

Judicial inquiries and discussion

Judicial determinations

# Benefits of a quality hearing

[https://www.acf.hhs.gov/sites/default/files/cb/pi1605\\_attachment\\_a.pdf](https://www.acf.hhs.gov/sites/default/files/cb/pi1605_attachment_a.pdf)

**“Due process rights are protected for all parties”**

**“All parties are actively engaged.”**

**“All important judicial inquiries are made and answered.”**

**“All judicial determinations are made as a result of the review of evidence and meaningful discussion of case specific facts.”**

*Children reach permanency  
more timely!!!!!!*

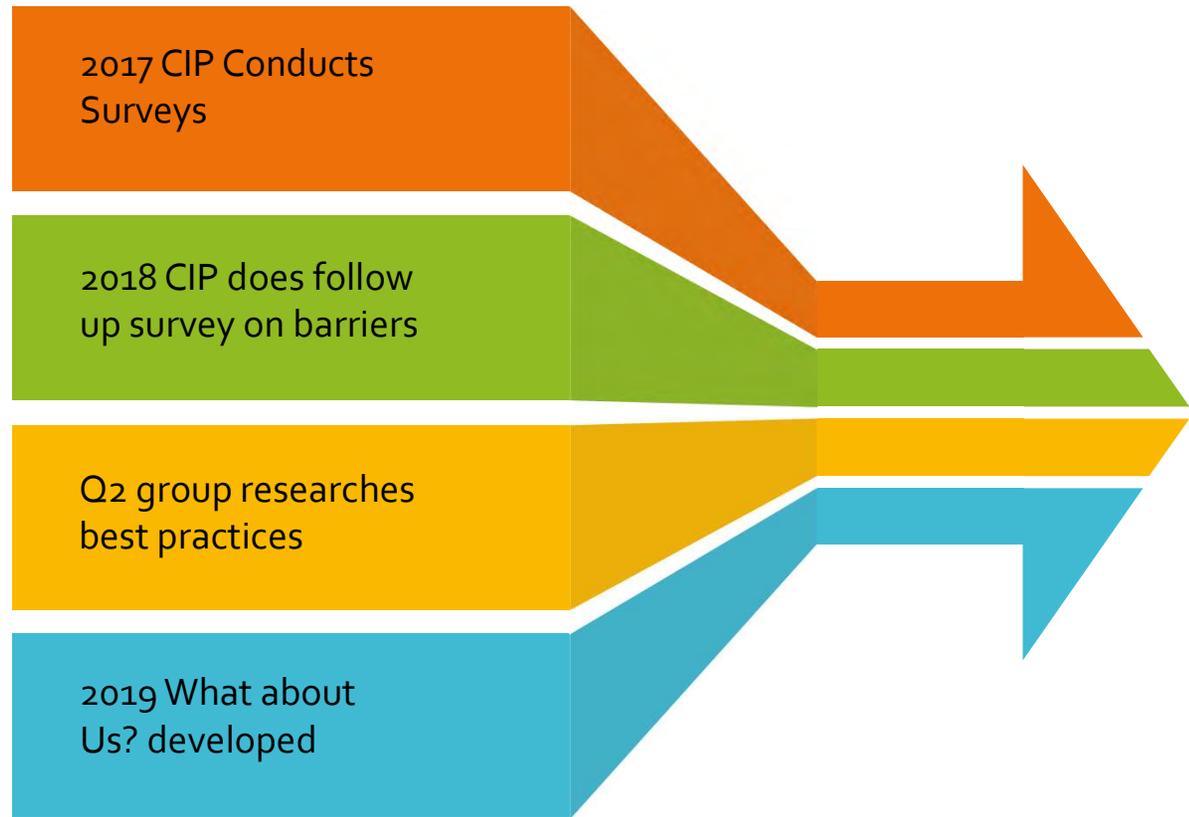
# Quantifying Quality: The Q2 Project Time line

2017 CIP Conducts  
Surveys

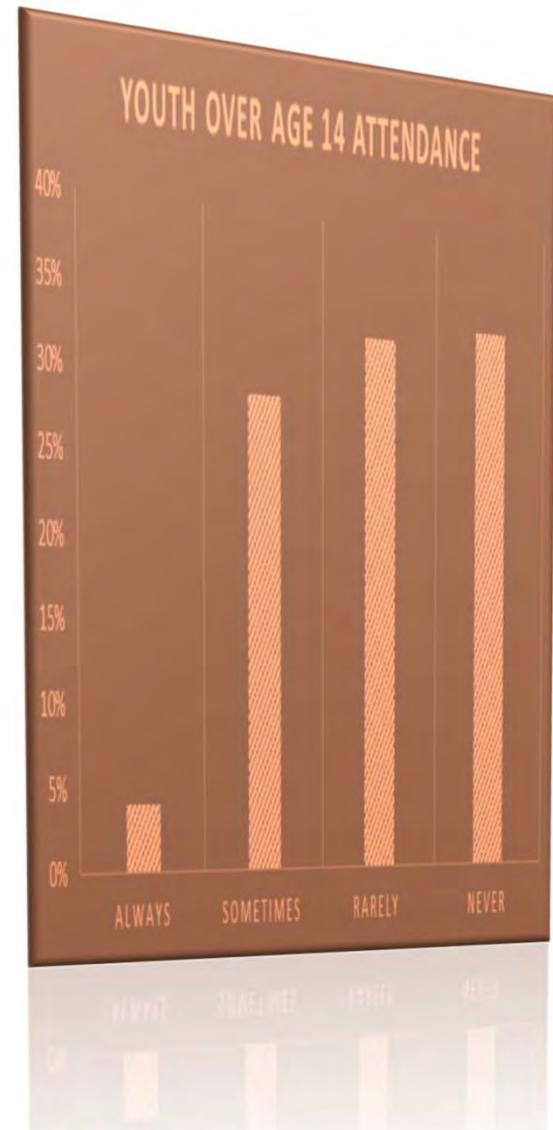
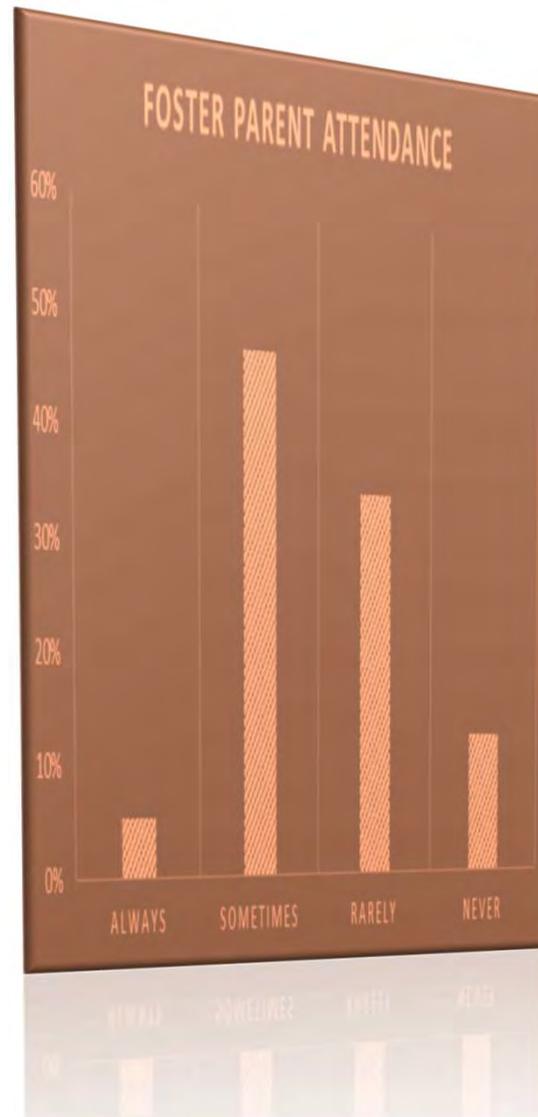
2018 CIP does follow  
up survey on barriers

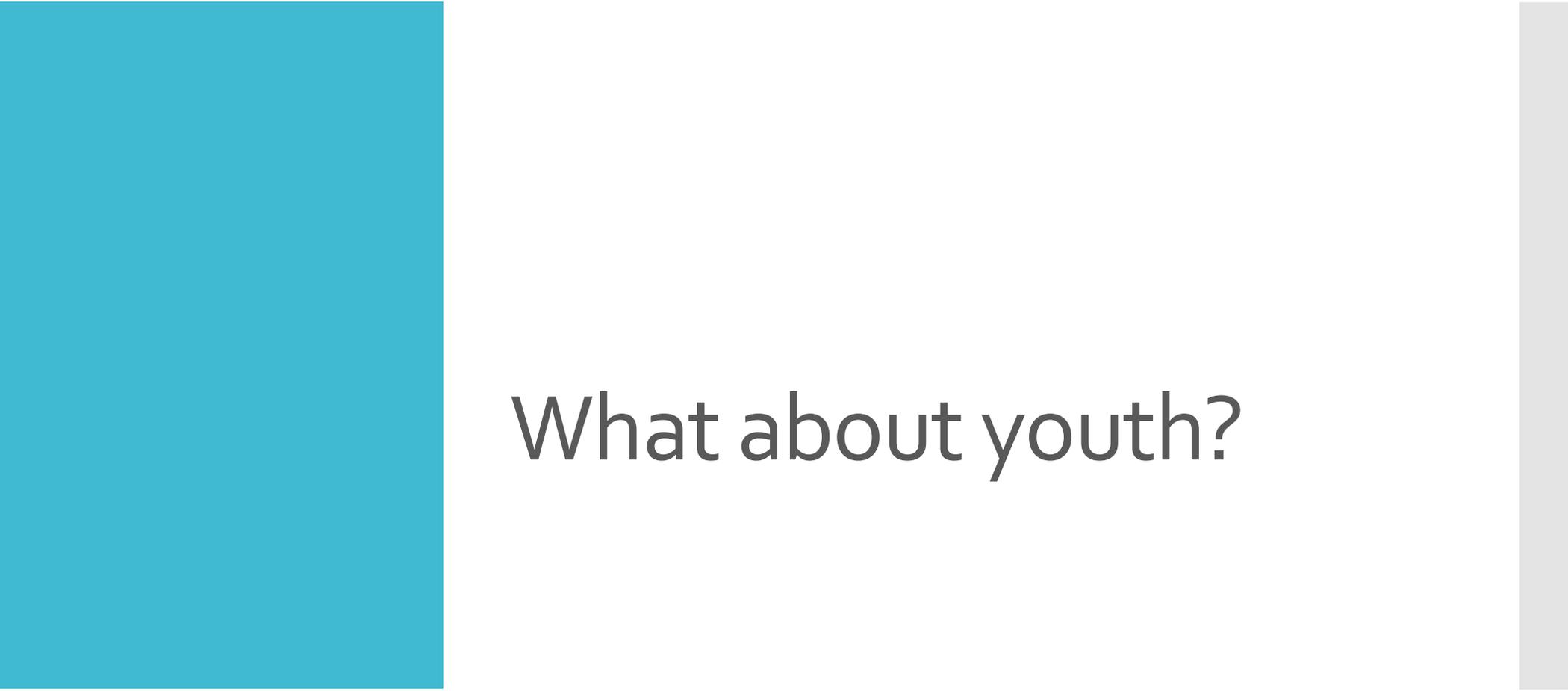
Q2 group researches  
best practices

2019 What about  
Us? developed



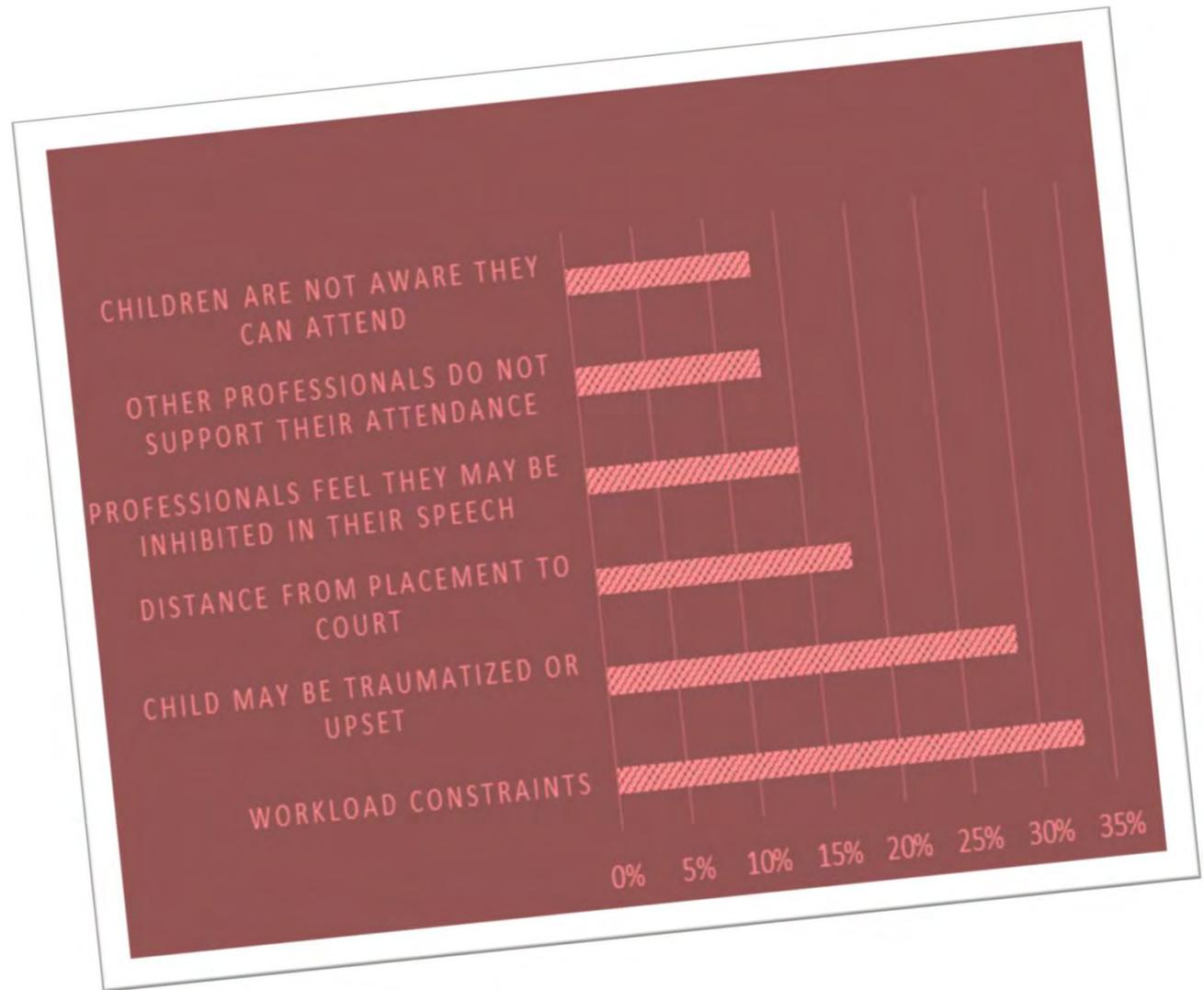
# CIP Survey Results on hearing attendance 2017





What about youth?

# CIP Survey Results on Barriers 2018: Barriers to youth attendance



# Youth want to come to court

National survey conducted by ABA Center on Children and Law- *Engaging Youth in Court- A National Analysis 2015*

# Youth want to come to court

## **New Jersey**

- 99% of youth that came to court wanted to come back.

## **Delaware**

- 47% of youth said they “always” attended their court hearings; 18% said they “almost always” did; 21% said they have “a few times”
- Youth attended “To know what’s going on; know plans; Because it’s my life; I like to have a say; so I can talk to the judge; Because I should.”

## **Vermont**

- 71% of youth usually/often attended court hearings
- 77% believed it was very important to have the option to attend

# Youth want to come to court

## Colorado

- Youth wanted judges to hear their voices, and to provide direct input about their situations and placements
- A majority of youth surveyed felt they didn't have a voice and wished they had

# Youth felt heard and understood

National survey conducted by ABA Center on Children and Law- *Engaging Youth in Court- A National Analysis* 2015

# Youth felt heard and understood

## **New Jersey**

- 89% youth said the judge heard and understood what they were trying to say

## **Delaware**

- 56-63% strongly agreed the judge listened to them, cared about them, and they felt comfortable talking to them

## **Vermont**

- 64% reported the judge makes fair decisions
- 63% were glad to go to hearings
- 61% felt comfortable asking the judge questions

# Youth felt heard and understood

## Washington

- 66% reported talking to the judge during the hearing
  - 90% of those who talked to the judge felt the judge spoke directly to them, listened, and felt “OK” answering questions
  - 64% of those said they told the judge things they didn't want to say in front of everyone else
  - 47% said it is not hard to talk to the judge in front of everyone

## Children are often the forgotten stakeholders in their own cases

- Hearing quality is better
- Opportunity for visitation
- Foster parents and caregivers attend
- Kids had better outcomes.
- The more prepared the youth was, the more satisfied the youth were with their court experience.
- Attorneys are not always reliable and informed advocates
- The Judge has the opportunity to observe the youth's behavior with care givers
- The Judge has the opportunity to observe the youth's physical appearance and health

# Cons to Youth Attendance and possible solutions

*From: National Council of Juvenile and Family Court Judges – Technical Assistance Bulletin (2012)*

## Cons

*Participating in court proceedings will upset the child*

*No transport and court facility not child friendly*

*Disruption of child's schedule*

*Child cannot see the parent*

*Child's wishes are not court ordered*

*Parent's privacy rights*

*Court hearing has no meaning for child*

*Child's presence will make court longer*

*Child does not want to attend*

## Solutions

Provide good preparation, ensure a supportive person is available, and allow child to leave courtroom if uncomfortable.

Prioritize transportation, 'child's time should be efficiently scheduled, and courts be more child-friendly.'

Work with the child's schedule

Bifurcate the hearing

Prepare the child for how & why the judge may rule a particular way

Excuse the Child

Minimize jargon and use plain speech

Once courts are used to having youth presence, speed will pick up

Find out why. If is not because of any issue in particular, let the judge decide if the child must go.

# Nicole's story

How long were  
you in foster  
care?



How many  
court hearings  
do you  
remember?



Were you able  
to speak on  
your behalf?



Did you want  
to attend your  
court  
hearings?



What age were you able to understand what was going on in your court hearings? And how did the judge make you feel?



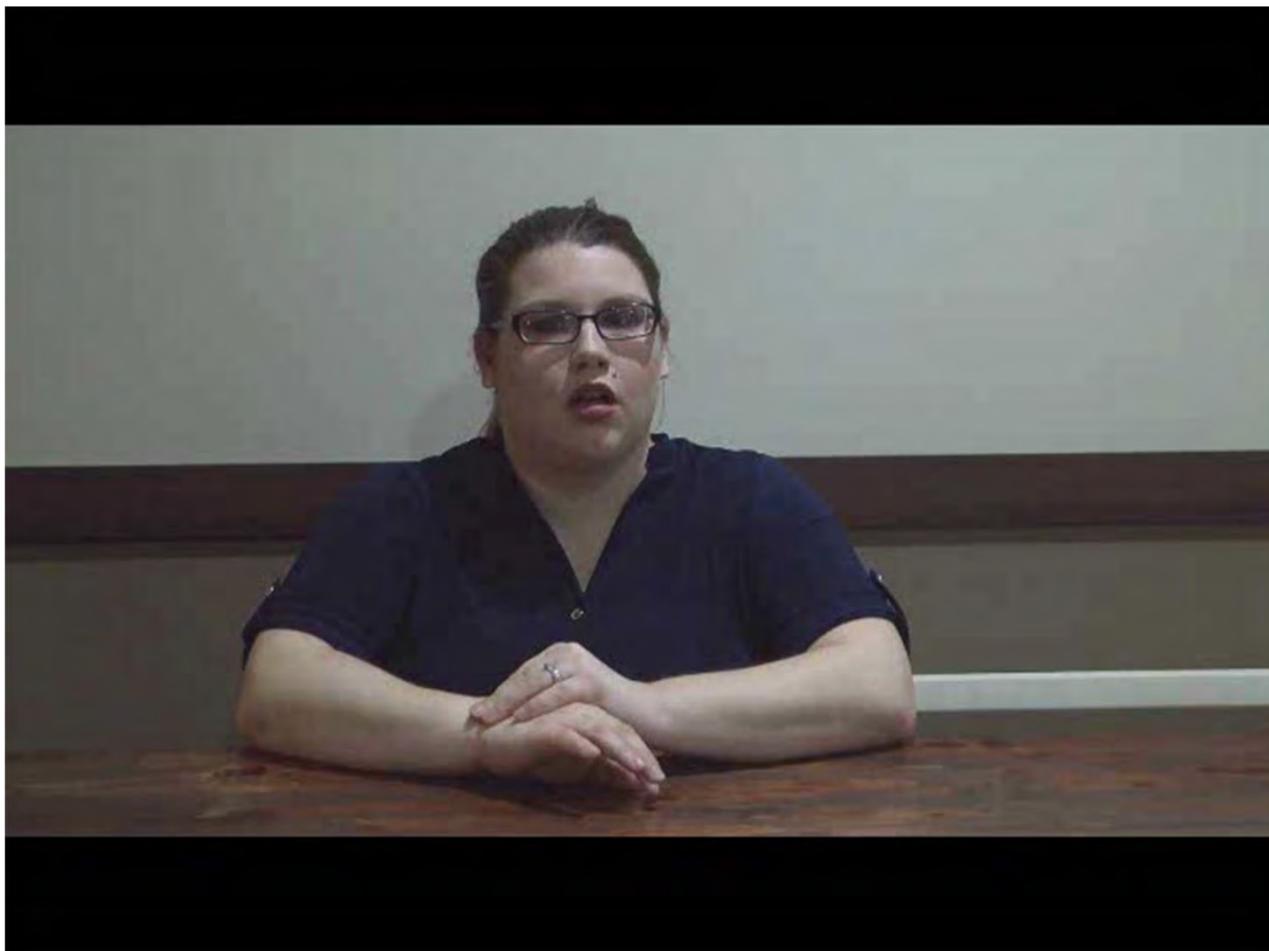
Did you feel  
your voice was  
heard during  
your court  
hearings?



Were you  
included in any  
MDT  
meetings?

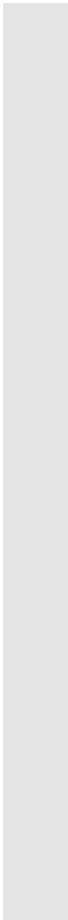


How often  
were you  
visited by your  
attorney,  
*guardian ad  
litem*, or DHHR  
worker?



Do you have  
any advice to  
make the court  
process  
better?





What about foster families?

# BCF - Foster Parent Survey Results

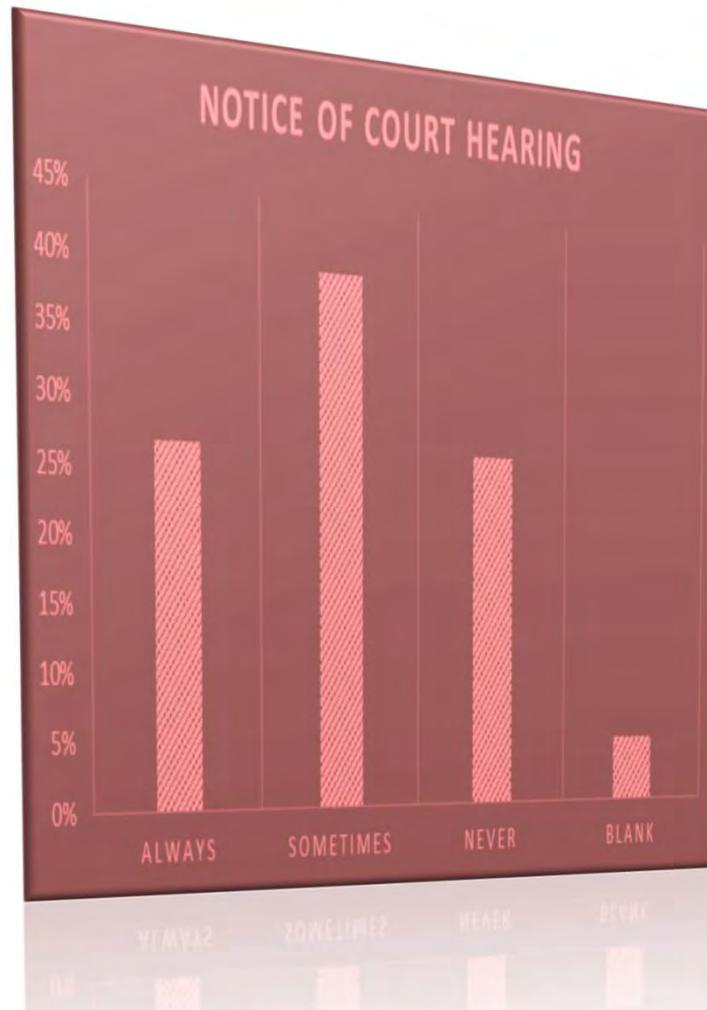
*BCF - Children and Adult Services August 2017*

## WV Foster, Adoptive, & Kinship Parents Network Foster Parent Survey Results

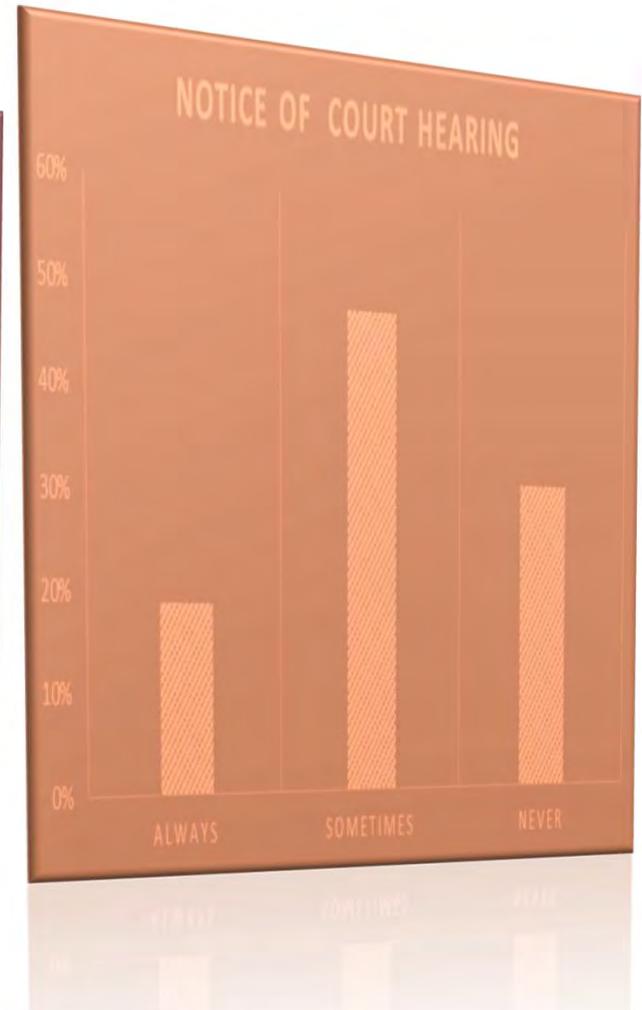
2019

### Comparison

BCF



WVFPN



# BCF - Foster Parent Survey Results

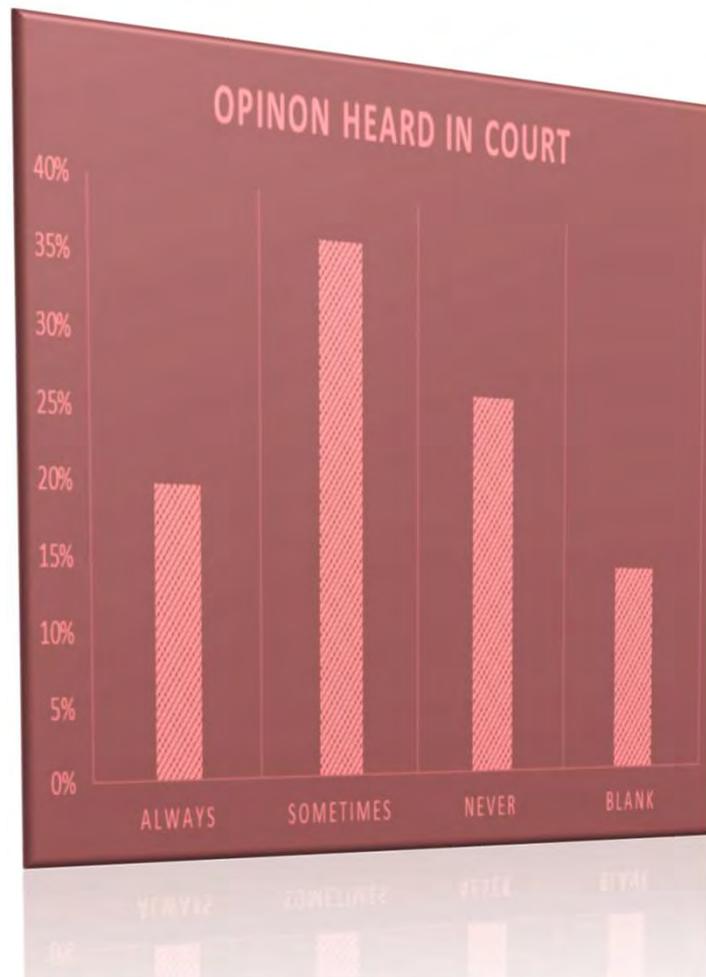
BCF- Children and Adult Services August 2017

# WV Foster, Adoptive, & Kinship Parents Network Foster Parent Survey Results

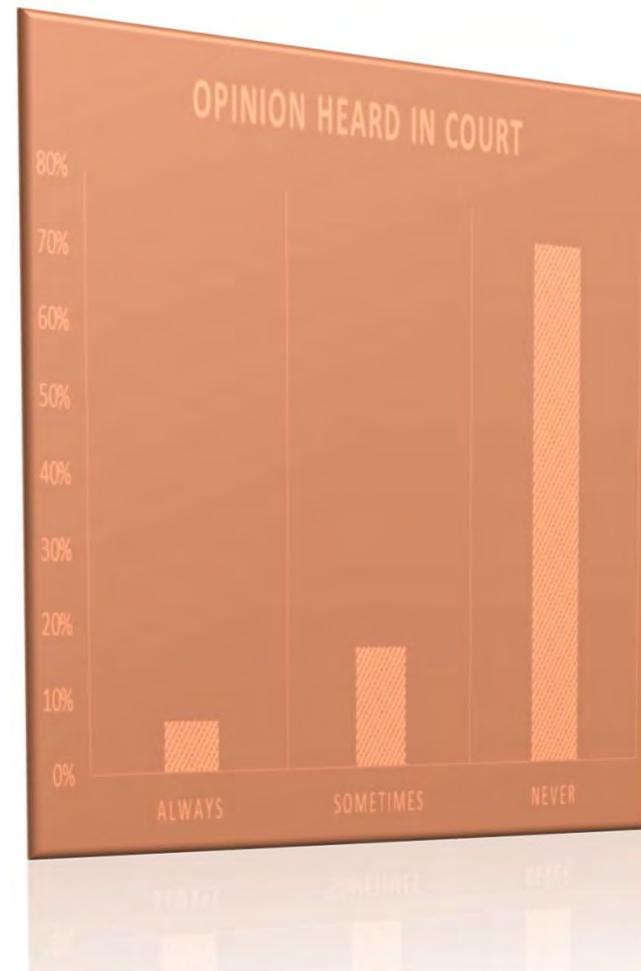
2019

## Comparison

BCF



WVFPN



## Foster Care parents are able to convey valuable information about the child

- Description of the physical and emotional condition of the child
- Medical information (e.g. medications and reactions, doctor visits)
- Any developmental delays noticed
- The child's school performance
- Overview of the child's behavior in the home (e.g. sleep patterns, eating habits, self expression)
- What services the child is receiving and dates of service
- Lists of activities the child is engaged in
- Talents, interests, hobbies, or skills noted
- Can share concerns on youth participation – for instance if youth is experiencing anxiety about seeing a parent.
- Can advocate on child's behalf

# Cons to Foster Parent attendance and possible solutions

WV Foster, Adoptive, & Kinship Parents Network

## Cons

*May state opinions, not facts*

*May make statements that make youth uncomfortable in court, which could carry over to the home*

*May say something inappropriate to or about bio parents*

## Solutions

CPS worker can work with the foster parent to explain their role in providing facts about the child and there are rather than opinions.

CPS worker can work with the foster parent to understand their role in court and discuss the types of things that might make the youth feel uncomfortable. They should also ensure that the youth are prepared to hear the types of information that are typically shared in court.

When foster parents understand their role in court, they are unlikely to say anything inappropriate.

# Cons to Foster Parent attendance and possible solutions

WV Foster, Adoptive, & Kinship Parents Network

## Cons

*May have been told they are not allowed to attend or participate*

*Their presence in the court could make them or bio parent uncomfortable*

*May be unable to attend due to work schedules or other conflicts*

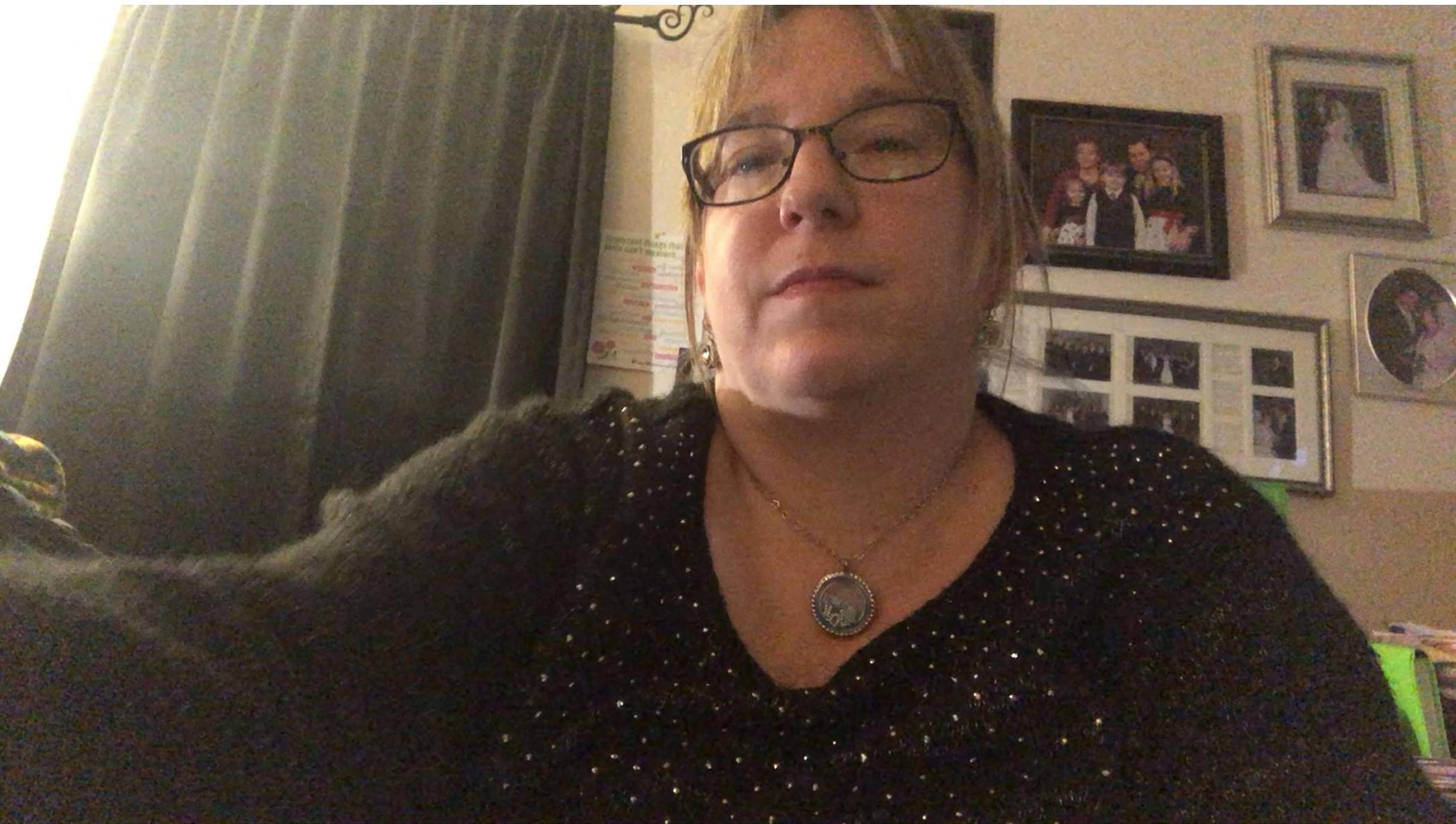
## Solutions

The courts and DHHR should work to ensure that foster parents are educated of their right to receive notice of a hearing and their right to be heard under ASFA.

Foster parents and bio parents must begin to see each other as partners in meeting the needs of the child. Keeping them apart only reinforces animosity and a feeling of being adversaries.

Foster parents should be given ample notice of MDT and hearing dates and times. If they are unable to attend, they should be given the option of submitting written comments.

# Alexis' Story



Thank you for participating

**Questions?**