

TIPS FOR JUDGES: ENGAGING CHILDREN IN DEPENDENCY HEARINGS

- Schedule hearings to accommodate child's schedule. For a child in school, schedule the hearing after 3 p.m.
- Develop a hierarchy of options and make sure all parties know the expectations. For example:
 - Child appears in person
 - Child appears via Facetime
 - Child participates by telephone
 - Child writes a letter to the judge
- Continue the hearing if child is not present and has not been excused by the Court.
- CASA, child's attorney, or caseworker should prepare child in advance. Child's attorney or CASA could bring child to the courtroom the day before the hearing to lessen anxiety.
- Make advance arrangements if child might be adversely affected by seeing a parent.
- Allow child to appear outside the presence of the parents when appropriate. Talk to the child on the record in chambers or in the jury room.
- Ask CASA or child's attorney or caseworker to have someone available to take the child out of the courtroom after the conversation with the judge.
- Tell DHS to arrange transportation for the child.
- Have a child-friendly room available in case the hearing doesn't start on time.
- Introduce the people at counsel table. Make sure the child understands the judge's role.
- Avoid using legal terms and acronyms.
- When you hear a child does not want to attend court, dig a little deeper. What are the reasons and what accommodations can you make?
- Develop guidelines to waive a child's appearance in court. Examples: child is in an adoptive placement out of state and is too young to participate by phone; child is severely disabled and unable to travel to court.
- Issue special invitations to children and ask CASA or child's attorney or caseworker to deliver the invitation.