



# Oregon Foster Youth Connection

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## memo

To: Amy M. Scholerman, JCIP Management  
Assistant II

From: Jamie Hinsz, OFYC President

CC: JCIP's Model Court Day Attendees

Date: August 17, 2009

Re: Model Court Day Youth Panel Notes

Hello, everyone!

First, I want to start off by thanking everyone for welcoming OFYC to the conference and taking an interest in our thoughts. We are more than happy to answer your questions and I hope these notes will help you with your project and with your individual cases, as well!

Second, I want to apologize for the language used during the panel. This is not the regular behavior of OFYC members, and I'm sure after my reaction to this incident, no one will ever be cursing again! I'm deeply sorry and very embarrassed, and I would hate for this to reflect back onto OFYC.

Finally, I wanted to answer your questions so you have them all in one place. The OFYC had a full group meeting yesterday (Sunday), and I brought your questions to the table for a long discussion. If you have any more questions, feel free to contact me!

### 1. What could attorneys and judges do better in the courtroom?

- Build a relationship with the youth and strive for regular communication so they feel more comfortable with the lawyer/judge
- Some youth mentioned they were not allowed to attend. Make sure the youth knows they are allowed and encourage the youth to attend in person.
- Most foster homes minimize CRB hearings and other important hearings. Make sure the youth knows they are important and they are all about themselves, not about their biological parents or their family as a whole.
- Many youth did not want to attend hearings because they knew their biological parents were invited, and for many youth these were the people who abused or neglected them. Make sure the youth know beforehand if their parents will come or not. One way to know for sure is to require the biological family to RSVP a couple days in advance. If they change their RSVP last minute, don't allow them to the hearing.
- If the youth and biological parents (or offenders) are both attending a hearing, implement better supervision with regards to communication. Some youth don't mind seeing them, but other youth are terrified of them. If you have a relationship with your client, you would be able to make a good judgment call on whether it is okay for the youth to see them or not.
- Provide other means of communication with the judge. Writing a letter and NOT reading it aloud to the hearing is more effective for a lot of youth. Be creative.
- Offer the possibility of a video meeting/conference (video) call. This lessens the tension dramatically.
- Most CRBs are overlapped AND open to the public. With such small counties in Oregon, this can prove to be humiliating for the youth, as sometimes the hearings before and after the youth are acquaintances that don't need to know their business. This is not only traumatic, it is also cause for the youth to keep quiet and not express what they really feel or want. Our lives are private, and we like to keep it that way.
- If the youth can only attend by calling in, make sure the youth is regularly getting an option to say something. Being on one end of the phone is difficult because it is hard to tell when it is okay to speak, and if spoken at the wrong time, more problems are created. One solution is to regularly ask the youth what their thoughts are, or tell the youth to press a button on the phone every time they want to say something so the dial tone is heard in the courtroom.
- Recently, the JCIP finalized the informational brochure and letter of options. Make sure the youth know they can write in and phone in or write in and attend in person, instead of just one or the other.
- Right now, most youth in care have no idea what a CRB hearing is, how to address a judge, or what to wear to the courthouse. Lawyers should educate the youth on confidentiality, court processes, courtroom courtesy and courtroom slang. They need to

explain what *everything* means, even if they think the youth already know what it means. A lot of youth think permanent foster care means the youth live with the foster family they are at now until they are adopted, taken back home, or age out; in reality, permanent foster care means the youth are in foster care until they age out. There is a big difference, but the youth won't know unless someone tells them, and that someone should be the lawyer.

- Judges should encourage youth prepare something to say, and lawyers should help them with this.
- The youth should *always* get time to talk.
- The judge should communicate to the youth they know them and care about them and their future, so the youth feels more comfortable sharing what they want and need. Simply saying, "I care about you and your future," won't work; the youth will never believe you. If you say, "Hi, Jamie, how are you? How is your soccer team doing this year?" it is more believable. If you have to write little notes down to remember, do what you need to do, but don't fake it- youth in foster care will know if you fake it and they will close up.
- Realize that what is written about your clients on paper is not who they are in person. Each youth has their own personality and their own style, which is impossible to capture in words.
- Be careful in how you phrase questions to the youth. Complicated questions are intimidating and will most likely generate a rushed answer in the interest of bolting out of the courtroom ASAP.
- Don't take the youth with you on a smoke break
- Buy them a drink or bring them a treat

## 2. What are the positive things judges and attorneys have done in the courtroom?

- Directly talking to the youth.
- Involving the youth in the decisions made.
- Approaching the youth in "regular clothes" as opposed to robes.
- Asking general questions before personal question.
- Reliability
- Building a relationship with the youth

## 3. What has helped you succeed in life?

- Most youth have had to figure out their own way through the bureaucracy of foster care, and a lot of youth don't learn to do this until it is too late. Advocating for yourself is one of the top reasons youth move on from foster care to reach their healthy goals.
- A lot of free services!
- Resources, and means of being informed of resources (knowledgeable caseworkers, Independent Living Program, involved CASAs)
- Support. Here, support is more than the words "Go for it." Support means helping the achieve their goals and giving positive feedback.
- We make the choice to succeed ourselves. Some of us had foster parents who taught us that there will always be problems and we just have to work through them to get what we want; others were taught that their goals are the only way to have complete control over their lives. It has to be our choice, and not somebody else's. We have to want it for ourselves.
- When CASA is active and honest.
- Telling the youth things you aren't supposed to tell them is more effective than you think. It builds a relationship and the youth will more than likely trust your opinion.
- Teachers
- Education
- "It takes a village to raise a child." We decided this quote encompasses everything we are talking about here.
- In reality, nothing in the courtroom has helped anyone succeed. The decisions the judges make is the only thing that would have any impact, but foster youth who want to succeed will do it no matter what the judge decides.

Thank you again, for having us, and I hope these notes help you!

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