



**TRIAL COURT ADMINISTRATION
Fifteenth Judicial District
Coos County Courthouse
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September 21, 2010

TO: NancyLee Stewart, Lauren Sproul, Carole Hamilton, Sharon Mitchell, and Twila Veysey

FR: Ed Jones, TCA
Fifteenth Judicial District

RE: Consulting With Children During Permanency Hearings

The court wants to make it clear that there is no requirement that a child must appear in court at each permanency hearing if the child does not wish to do so. However, if an age appropriate child wishes to make his/her thoughts known to the court then the court wants them to feel welcome to do so. The following draft process will outline how a child may appear in court by person, by phone, by video (if available), by letter or by making his/her wishes known through a section of the reports submitted to the courts by the CASA and DHS caseworker.

If a child wishes to address the court in person every effort will be made to have this happen in chambers. In chambers, along with the judge, will be the attorneys for the parents, the attorney for the state, the attorney for the child (if one has been appointed), and the CASA. The child may either be physically present or appear by phone. In the near future we will also have the ability to set up a video connection in the judge's chamber. Whenever possible, the meeting with the child will take place on the same day and just prior the scheduled hearing. On Mondays, the meeting with the child will take place at 2:30 p.m. and no more than three will be scheduled at this time. If it is not possible to schedule all children who wish to address the court during this time period then the court would be open to scheduling some of the hearings on delinquency Mondays or during the week at 8:15 in the morning for non-contested permanency hearings.

If an age appropriate child wishes to make his/her thoughts known regarding permanency, but does wish to appear in person, he/she may do so in a written letter to

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the court. If a letter is submitted to the court it will remain sealed until all parties are present at the hearing. Once the judge opens the letter in the hearing, a copy will be made and presented to all parties. Prior to the CASA submitting the letter from the child the child must be told that the letter will be opened in court and that the letter has to be shared by the court with the other parties.

If the child wishes to be heard but does not wish to appear In person, by phone, video or letter then the child may tell the CASA or DHS worker what they wish the court to be told. The CASA or DHS worker will include this information in the report they submit to the court and parties to the case. The child will be informed that the information is being shared with all parties in the matter.

If a child informs their attorney, CASA, or DHS worker that they wish to address the court in person then the court must be notified in advance and according to the following timelines:

- Video Appearance: Court must be notified two weeks in advance of the hearing in order to verify the video connections will work.
- Phone Appearance: Court must be notified one week in advance.
- In Person at Court: Court must be notified as soon as possible but at least one week in advance to make sure there is room at 2:30 p.m. on the day of the hearing for this to take place. If three children are already scheduled to address the court on the requested day then court, on its own motion or through a motion submitted by a party, may move the hearing to a delinquency Monday at 3:00 p.m. (child will meet with judge, CASA and attorneys at 2:30 p.m.) or to an 8:15 a.m. hearing time.