



JUDICIAL ENGAGEMENT: The Role of the Judge in Ensuring Timely and Safe Reunification



NCJFCJ Judge Panel: Model Court Summit 2026

Timeliness and Judicial Leadership

- **View timeliness through the eyes of the child.** Delays in decision making can be distressing. Children want adults to make decisions quickly.
- **Judges set the timing and pace.** Movement often accelerates as hearings approach. Set review hearings as needed to promote accountability and progress.
- **Avoid continuances.** Develop a philosophy to prevent continuances. Permanency delayed = permanency denied.
- **Urgency begins at shelter care.** Evaluate in-home plans and kith/relative placements immediately. When judges ask questions, parties come prepared.
- **Practical tips:** Use bench cards to reinforce expectations. Consider having caseworkers submit updates in between or in lieu of hearings to track issues.

Centering the Voice of the Family

- **Hearings serve families.** Hearings should not solely serve procedural needs—they should also meet the needs of families.
- **Show dignity and respect.** Humanize parents for who they are instead of evaluating them for their mistakes.
- **Identity and inclusion.** Use correct names, pronunciation, and preferred pronouns.
- **Build rapport.** Use affirmation and praise to give parents hope that change is possible.
- **Validation and trust.** Follow up on prior requests and orders at the next hearing.
- **Active listening and motivational interviewing.** Court feels like home for judges—but it's intimidating for families. Acknowledge feelings and reactions.
- **Engage parents.** Thank parents for attending and allow them opportunity to be heard.
- **Input from children:** Speak directly to children when appropriate. Consider private meetings (with party concurrence). These conversations often yield the most insight.
- **Practical tips:** Adopt a One Family, One Judge approach. Rearrange docket for flexibility. Take short recesses when needed to avoid continuances. Remember one detail about the family and bring it up at the next hearing. Consider the order of participation—parents, then attorneys for children, then the state.

The Court as Part of the System

- **Judges are overseers of the system.**
- **Ask questions.** Serve as an “Inquiring Magistrate” within the system. Gather information and make findings based on facts.
- **Make no reasonable efforts findings when warranted.** Don’t fear funding loss. Negative findings lead to system improvement.
- **Community and court engagement.** Get off the bench. Integrate into the court community and into the community you serve.
- **Set the tone.** Model trauma informed approaches. Language matters. Avoid stigmatizing terms (e.g., replace ‘positive UA’ with ‘substances detected’).
- **Lay the foundation to implement change.** Build meaningful collaboration with community partners.
- **Systemic improvement requires innovation and progress.** Use judicial leadership and begin with small changes to avoid “mission creep.”

Individualized Services and Judicial Oversight

- **Reasonable efforts must be consistent with circumstances.**
- **Tailored services.** Services must be individualized for the family. Infuse treatment court concepts. Legal creativity is essential to meet the family’s needs.
- **Identify gaps in service plans.** Families are driven by fear and lack of resources. Acknowledge and accommodate these realities.
- **Address basic needs first.** Foster care is a community issue requiring community resources.
- **Court Reports and Orders.** Remove completed items so out-of-date issues do not continue to show up in reports. Recognize progress and accomplishments.
- **Take appropriate action.** Independent of agency or attorney recommendations.
- **ASFA timelines may not fit every family.**
- **Seek continuous education:** Gain expertise on the issues before you in court. Consult with colleagues. Use this knowledge to inform decisions and share insights.

Balancing Risk and Reunification

- **Risk aversion stems from self-preservation.** Reunification requires calculated risk.
- **Trust the process.** Having confidence in your own philosophy of reunification is key. Trust the caseworkers and others in their power to reinforce reunification.
- **Invest in multidisciplinary training.** Strong collaboration supports safe decision-making.

A recording of this presentation is available on OJD’s website: [Model Court Summit Materials](#)