

Tips for Resource Parents Going to Court

Resource parents should be given notice of court hearings involving the children placed in their homes, and the opportunity to appear at these hearings to provide the judge with information about how the child is doing, any needs the child has, and any concerns or issues concerning the child or the court process. Compliance reviews which happen every 3 to 6 months and the permanency hearing, which occurs when a child has remained in foster care for 1 year and then annually thereafter, are the hearings a resource parent can generally attend.

Below are tips for attending court, and ways to provide information to the judge.

Anyone going to court must follow certain rules, which are outlined below. If you have questions, contact your FAFS Family Advocate.



WHEN TALKING TO THE JUDGE

- Always tell the truth and try to stick to FACTS.
- Speak slowly, clearly and talk into the microphone.
- Use words—not gestures—so what you say can be recorded. A nod or a shrug cannot be recorded.
- The judge may ask you questions. Take time to think about any questions the judge asks before you answer.

Also remember that:

- It is best to tell the child's law guardian and/or the caseworker that you will be appearing in court. Sometimes hearings are postponed or the judge may not have scheduled time to speak to you.
- Resource parents are generally not permitted to remain in the court room for the entire hearing.
- If the judge or one of the attorneys has a question for you that you do not know the answer to, it is OK to say "I do not know."
- It's OK to feel upset or nervous. Most people get nervous, which is why it makes sense to write out what you want to say before going to court.
- If you make a mistake, say, "I made a mistake." Then, provide the correct information.
- If one of the lawyers says, "Objection!" stop talking and wait until the judge tells you to continue.

Tips to Help You Prepare for Court

- Confirm the date, time and location of the court hearing through your child's law guardian or caseworker.
- Organize the information that you want to tell the judge by writing it down so you won't forget.
- Make 5-6 copies of any documents that you want to give to the judge so that you have a copy and you can give copies to the other attorneys.
- Be on time or you may miss some of the hearing.
- Allow time for getting through security and metal detectors that are at every court house.
- Dress neatly to show your respect for the court and the process. (No revealing clothing, hats, clothing with offensive language, etc.).
- There will probably be a lot of cases so be patient and respectful while the judge handles other cases. Bring something you can do quietly while you wait. Books are allowed. If you want to listen to music, play it quietly with headphones.
- Turn off your cell phone and any other electronic devices before entering the courtroom.
- Don't eat, drink or chew gum in the courtroom.
- You can take notes in the courtroom.

The judge listens to everyone, including you, the caseworker, the attorney for the Division of Child Protection and Permanency (used to be called DYFS), the child's lawyer and the lawyer for the parent(s). The parents and the child or youth, if he or she attends, may also speak. The judge will make decisions based on the information provided by all and what the law requires the judge to do. The judge should explain the reasons for the decision he or she makes. If the reasons are unclear, ask your child's law guardian or caseworker for more details.

If you cannot attend the hearing, fill out the Resource Family Information Form you receive with the court notice of the hearing, or write a letter to the judge, giving your update. All attorneys involved in the case will receive a copy of your letter or Resource Family Information Form. You can also provide your update to the law guardian or case worker.

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