

California Youth Connection

Policy Recommendations to Facilitate Foster Youth Participation in Court Hearings

Foster youth want to be a part of decisions made about their life and to participate in the forums where those decisions are made, like court hearings. However, foster youth often face barriers to participation that can be resolved by changes to existing state or local policy. Following are suggestions on areas that can be improved to support foster youth participation in court hearings.

- **Youth Involvement:** The child welfare system should be required to involve foster youth as participants and equal partners in all decisions made about their lives. Youth should be required to be involved in case plan development, case plan meetings, and given the option to attend court hearings. Foster youth should be allowed to offer a formal response to court reports, incident reports and proposed permanency plans. Child welfare professionals should be held accountable for ensuring foster youth participate by the court and advocates. Judges can take notice at hearings if youth are not present and ask for explanation for their absence to ensure that it is not professionals have done their part to give youth the choice to attend.
- **Attorney Caseloads:** Attorneys are critical to preparing foster youth for court participation and ensuring that the court process is a meaningful one that is truly about the needs and best interests of the foster youth. Without reasonable caseloads, attorneys are unable to visit with youth and provide quality representation.
- **Judicial Training:** Dependency judges can benefit from training on the importance of youth involvement, how to modify hearings so they are more youth friendly, and how to communicate with youth and ask the right questions. judge.
- **Transportation:** Policy should be created clarifying who is responsible for coordinating and funding transportation for youth to attend their court hearing.
- **Addressing Barriers to Attendance:** Set policy so that youth are not penalized at school or in group care placements for missing school due to court related absences. Change court hearing times and calendaring system so youth can attend afternoon or weekend hearings and ensure they are not waiting excessively.

- **Client Satisfaction:** It is critical for dependency attorneys and judges to systematically gather feedback about foster youth's satisfaction with the quality of representation as well as their suggestions for improvement. This keeps everyone focused on the goal of being an advocate for the youth. Surveying and interviewing youth about their experience with court can help dependency courts identify areas needing improvement and develop a plan for change. A contact person and clear process should be identified for youth if they have questions or concerns about their attorney, court or legal services.
- **Attorney Training:** Foster youth often look towards their advocate to be knowledgeable about services and resources available to them. All dependency attorneys should receive regular training on foster youth's rights, available resources and areas impacting foster youth such as permanency, education, immigration, transition services and LGBTQ youth issues. Attorneys should also receive training on how to communicate effectively with foster youth and empower them to be self-advocates.
- **Training for Foster Youth:** Jurisdictions should develop training for foster youth on the court process, how to participate effectively, and their rights. This training can be modeled after the training offered by the Judicial Council for foster parents on court participation. The best trainers are of course, current and former foster who have experienced the court process and who are the best experts on what others in their situation need to know! Courts can also hire former foster youth as support staff to prepare youth for hearings, offer advice and support after hearings and "translate" court material into youth friendly language.