ENGAGING YOUth EMPOWERING

Colorado Office of the Child's Representative

First, a little inspiration…

https://youtu.be/kGusd0HKvtY

WHEN
WHO
?
WHAT
HOW
WHY
WHERE

WHAT do we mean by engaging & empowering YOUth?

Engaging **YOUth**	Empowering **YOUth**
Helping youth become _____ _____ in their cases & the systems involved in their cases	Helping youth become _____ & more _____ in their cases & the systems involved in their cases

WHO are the YOUth

we want to engage & empower?

Youth with:

- **_____ &/or**
- **_____**

cases *(as a start)*.

WHY do we want to

engage & empower YOUth?

E&EY is required by federal law.

Child and Family Services Improvement Act of 2006 requires "procedural safeguards to be put into place to assure that in any permanency hearing held with respect to the child, including any hearings regarding the transition of the child from foster care to independent living, the court or administrative body conducting the hearing consults, in an _____ _____ manner, with the child regarding the proposed permanency or transition plan for the child." 42 USC § 675(5)(c).

…more federal law requiring E&EY.

Fostering Connections to Success and Increasing Adoptions Act of 2008 states that _____ days prior to a _____'s 18th birthday (or the age required by the State for aging out of care), the _____, his or her caseworker, and other representatives of the _____'s choosing must develop a transition plan. Specific elements such as housing, education, employment, mentoring, and continued support services must be included. 42 U.S.C. § 675(3)(H) (2016).

E&EY is required by state law.

Youth rights include:

- Having _____ present at their hearings. § 19-1-106(2), C.R.S. (2016).
- Being informed of their rights & providing _____ consent (if of sufficient age & understanding) to informal adjustments & deferred adjudications. §§ 19-3-501(1)(c)(I)(A)(C) & -3-505(5)(a), C.R.S. (2016).
- Receiving _____ of their permanency planning hearings which contains their constitutional & legal rights. §§ 19-3-702(2) , C.R.S. (2016).
- Being consulted with by the court in an _____ manner regarding their permanency plan. § 19-3-702(3.7), C.R.S. (2016).

E&EY is required by Chief Justice Directive 04-06.

"A determination by a GAL or the Child's Legal Representative of a child's best interests must include consultation with the child in a _____ appropriate manner and consideration of the child's _____ regarding the disposition of the matter before the court." (V)(B).

… More Chief Justice Directive 04-06.

A GAL must "state the child's position, when _____."

However, "[i]f a child informs the GAL that s/he does not want the GAL to report his or her position to the court at a specific hearing, the GAL may proceed without directly stating such position."

(V)(D)(1).

… More Chief Justice Directive 04-06.

"When ascertaining the child's position regarding issues before the court, the GAL shall endeavor to _____the child's involvement in the court proceedings, when consistent with the child's best interests, by

- discussing the _____ _____,
- ascertaining whether the child wishes to _____ _____ court and
- identifying and advocating for the _____ of barriers to the child's attendance at court."

Commentary to (V)(D)(1) (Bullet points added).

… More Chief Justice Directive 04-06.

Required contacts between…

… D&N GALs & children:

- During initial investigation, (V)(D)(4)(a) & Commentary;
- After change in placement, (V)(D)(5)(a) & Commentary; &
- Ongoing, (V)(D)(5)(b).

… Delinquency & direct file GALs & children:

- During initial investigation, (V)(E)(1) & Commentary; &
- Ongoing, (V)(E)(4) & Commentary.

… Other attorneys & children: (V)(F)(2)(a).

E&EY is one of the bases of court observations.

D&N court observations completed by OCR attorneys & staff consider whether the:

- child was _____ during the hearing,
- child was given a chance to _____ the court,
- GAL addressed the GAL's efforts to get to child to _____ _____, &
- GAL stated the child's _____.

E&EY is one of the bases of GAL evaluations.

Reference interviews involve a discussion between OCR staff & at least one child identified by the GAL.

E&EY is recommended by major national organizations.

Here are just a few:

- The National Council of Juvenile and Family Court Judges (NCJFCJ)'s policy is that children of _____ ages should be present in court and attend each hearing, mediation, pre-trial conference, & settlement conference unless the judge decides it is not safe or appropriate.
- The American Bar Association (ABA) has a model act outlining children's rights to notice & to attend & participate in _____ hearings related to their case.
- The National Association of Counsel for Children (NACC)'s standards for representing children in D&N cases indicate that in most circumstances, children should attend significant hearings.

...BUT WHY is E&EY required and/or recommended?

E&EY is good for YOUth.

Youth experience a ____ ___ ____when they are:

- maltreated, &/or
- placed outside of their homes through court orders because decisions about their lives are made by professionals, often outside their presence.

E&E **YOUth** gain:

- a better _____ of how & why decisions are being made about them;
- an ability to _____ decision-makers to do what is best for them;
- an increased sense of _____ & diminished feelings of lack of control when adults validate their positions &/or treated youth like collaborators with influence;
- the valuable skill of _____;
- an _____ in the process, &
- SO MUCH MORE!

E&EY is good for decision-makers.

Youth presence and/or participation:

- provides an opportunity for decision-makers to _____ the youth interact with parents &/or caregivers;
- puts a _____ to a case, which reminds decision-makers about the youth who is being impacted by their decisions;
- increases the probability of _____, as invested youth demonstrate better compliance with & commitment to desired outcomes; &
- provides an opportunity to obtain _____ information from children/youth.

HOW, WHERE, & WHEN

can we engage & empower YOUth?

OCR EFFORTS

SURVEYS

POST CARDS

BILLS OF RIGHTS

REFERENCE INTERVIEWS

YOUTH IN COURT REPORT

FOCUS GROUPS

YOUTH IN COURT OBSERVATIONS

YOUR IDEAS & EFFORTS

If you have concerns about, &/or beliefs contrary to, those expressed today, please:

- know **you are not alone**,
- review the **references & sources page in your materials**
- review the **Youth in Court Mythbusters on OCR's website**, &/or
- contact your **OCR Attorney Liaison**!

THANK YOU!