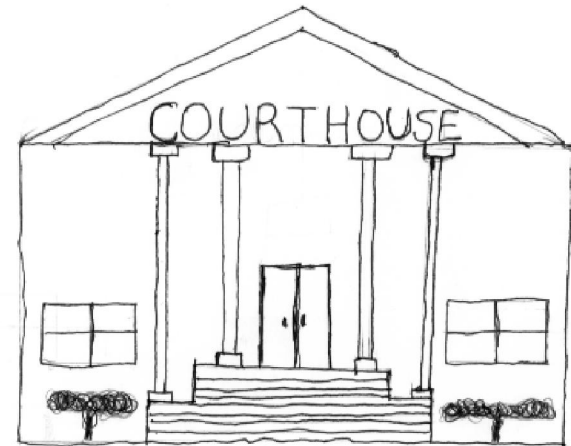


# WHAT HAPPENS TO ME NOW?



*A handbook about the court process for Colorado  
teens who are not living at home.*

Level III - Recommended for ages 13 through 18

State Court Administrator's Office  
1301 Pennsylvania Street, Suite 300  
Denver, CO 80203  
303-861-1111 or 800-888-0001

*What Happens to Me Now?* was written in 2003 by the following: Bradley Bittan, Attorney, Denver, CO; Barbara Bosley, Family Court Facilitator, Denver Juvenile Court, Denver CO; Debra Campeau, Office of Guardian Ad Litem, Colorado Springs, CO; Diana Coffey, State Court Administrator's Office, Denver, CO; Magistrate David Furman, Denver Juvenile Court, L.C.S.W., Denver, CO; Daniel Gallagher, Policy Analyst and Court Improvement Project Coordinator - State Court Administrator's Office, Denver, CO; Jim Hustad, Family Court Facilitator, Colorado Springs, CO; Laoise King, Denver City Attorney's Office, Denver, CO; Colene Robinson, Staff Attorney, National Association of Counsel for Children, Denver, CO; and Jan Towski, MA, LMFT, Colorado Coalition of Adoptive Families, Denver, CO.

*What Happens to Me Now?* Level III was illustrated by 14-year-old Denver artist Jay Scott. Jay was a former foster child and has been adopted.

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For additional copies or more information about the book, please call the State Court Administrator's Office at 303-861-1111 or 800-888-0001 toll free or write to Juvenile Policy Analyst, State Court Administrator's Office, 1301 Pennsylvania Street, Suite 300, Denver, CO 80203. This publication is available online at: <http://www.courts.state.co.us/supct/committees/courtimprovecomm.htm> and can be freely copied for your use.

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Other Names and Phone Numbers:

Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

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Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

NOTES:

**Names and Phone Numbers:**

Caseworker: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Caseworker: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Caseworker: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Guardian ad Litem: \_\_\_\_\_

Phone Number: \_\_\_\_\_

CASA volunteer: \_\_\_\_\_

Phone Number: \_\_\_\_\_

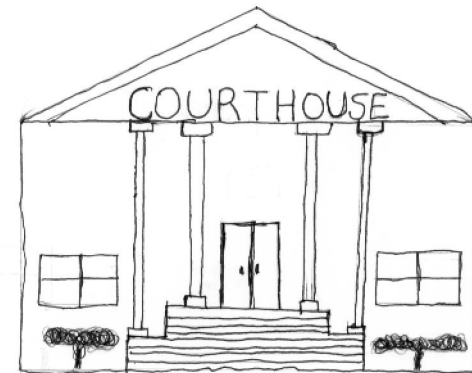
Therapist: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Judge/Magistrate: \_\_\_\_\_

Judge/Magistrate: \_\_\_\_\_

# WHAT HAPPENS TO ME NOW?



Level III - Recommended for ages 13 through 18

8. **Foster Parent** - Foster parents are trained and licensed adults who help young people by allowing them to live in their home until they can return home or live somewhere else.
9. **GAL or Guardian ad Litem** - The judge assigns a lawyer called a Guardian ad Litem to represent the best interests of all young people involved in dependency and neglect cases. You should meet with your GAL. Feel free to talk to your GAL about anything that is happening to you or bothering you.
10. **Judge/Magistrate** - A judge or magistrate works in the courthouse and decides what should happen to you. The judge or magistrate is in charge of your case. The judge or magistrate makes sure everyone does his or her job in your case. Judges and magistrates went to college to learn the laws and were chosen because of their ability and interest to help young people like you. These people work very hard to figure out what is in your best interests.

## GLOSSARY

1. **Attorney/Lawyer** - A person who goes to college and law school and has to pass a two or three-day test in order to be licensed to represent people in court.
2. **CASA** - Stands for Court Appointed Special Advocate (see CASA volunteer).
3. **CASA volunteer** - A person appointed by the judge to help the judge decide what is in your best interests. You may or may not have a CASA volunteer in your case.
4. **Case** - Your situation is called a "case". It has to do with you, your parent/guardian, and your brothers and sisters.
5. **Caseworker** - This person works for the Department of Human Services and helps get what you and your family need.
6. **Court** - The court is the building where the judges work, the hearings are held, and all the papers are filed in your case. The court is where all the decisions are made that will effect what happens to you.
7. **Court Hearing or Trial** - This is when the judge listens to the people and attorneys in your case so a decision can be made about what should happen to you. Tell your caseworker or GAL if you want to communicate with the judge.

## WHY WERE YOU REMOVED FROM YOUR HOME?

The law requires your parent or guardian to take care of you by seeing that no one harms you and by providing you with enough food, clothing, proper medical care, and a home that is safe. The law also requires that your parent/guardian be able to give enough supervision over you so that you attend school and do not get into trouble or break laws. If your parent/guardian has not been able to provide you with what the law requires or they are not able to properly supervise you, then you may be removed from your home until they are able to properly care for and supervise you.



## **WHAT HAPPENS AFTER YOU ARE REMOVED FROM YOUR HOME?**

Within three days after you are removed from your home, excluding weekends and holidays, your parent/guardian will be asked to appear in court. At this first court hearing, the judge will consider why you were removed from your home and the judge will decide where you will live on a temporary basis. In most instances, your parent/guardian will have a lawyer to help them while the case is going through court. You will also have a lawyer appointed to represent your best interests while the case is going through court. Your lawyer is called a Guardian ad Litem.

**Court** - The court is the building where the judges work, the hearings are held, and all the papers are filed in your case. The court is where all decisions are made that will effect what happens to you.

**Court Hearing** - This is when the judge listens to the people and attorneys in your case so a decision can be made about what is in your best interests.

**Judge/Magistrate** - A judge or magistrate works in the courthouse and decides what should happen to you. The judge or magistrate is in charge of your case. The judge or magistrate makes sure everyone does his or her job in your situation. Judges and magistrates went to college to learn the laws and were chosen because of their ability and interests to help young people like you. They work very hard to figure out what is in your best interests.

**Attorney/Lawyer** - A person who goes to college and law school and has to pass a two or three-day test in order to be licensed to represent people in court.

**Case** - Your situation is called a "case". It has to do with you, your parent/guardian, and your brothers and sisters.

**GAL or Guardian ad Litem** - The judge assigns a lawyer called a Guardian ad Litem to represent the best interests of all young people involved in dependency and neglect cases.

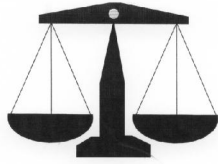
## **DISPOSITIONAL HEARING:**

At this hearing, the Department of Human Services gives the "Family Service Plan" to the court for approval. The Family Service Plan outlines what your parents/guardians must do in your case. The judge carefully reviews your case to make sure everything is being taken care of at this time.

## **PERMANENCY PLANNING HEARING:**

The purpose of this hearing is to plan for a stable permanent home for you in as short a time as possible.





### **TYPES OF HEARINGS IN YOUR CASE**

The following is a list and description of hearings that will take place in your case. Keep in mind that your case may have more hearings than those mentioned below.

#### **FIRST HEARING *or* PRELIMINARY PROTECTIVE HEARING *or* TEMPORARY CUSTODY HEARING:**

At this hearing, the court will decide if you can safely remain in your home or if you need to live somewhere else to keep you safe.

#### **ADVISEMENT:**

At this hearing, your parents or guardians are advised of their legal rights. The court makes sure that they understand their rights and the court process. Also, a Guardian ad Litem is chosen for you.

#### **ADJUDICATORY HEARING:**

At this hearing, a decision is made whether or not you are dependent or neglected under Colorado law. For example, you are neglected if your parents or the person legally responsible for you is not providing you with adequate food, clothing, medical care, education, supervision or a safe home environment. You are dependent if you are not capable of supporting yourself and you cannot depend on the person who is legally responsible for your care to support you.

### **ARE YOU THE ONLY YOUNG PERSON NOT LIVING AT HOME?**

No. Today in the United States, over one million young people under the age of eighteen are not living at home. Most of these young people were removed from their homes because they were not properly cared for or they were not properly supervised. If one of your relatives or family friends can take care of you, the court may let you live with them. If that is not possible, the court will place you with foster parents or at another place suitable for young people. You will live there until you can be returned to your home or until a permanent home can be found for you. You will not be left without a place to stay.

### **WHY AREN'T YOU LIVING AT HOME NOW?**

There are a number of reasons why young people don't get to live in their homes. Sometimes parents/guardians make mistakes or things happen to them that are beyond their control. Some parents/guardians intentionally hurt their children or neglect to provide their children with a safe home. Sometimes your choices about your own behavior make a difference in whether or not you live at home. The judge, your Guardian ad Litem, your parent/guardian's attorney, and the caseworker will do all they can to help you and your family correct the problems that caused you to be removed from your home.

**Foster Parent** - Foster parents are trained and licensed adults who help young people by allowing them to live in their home until they can return home or live somewhere else.

**Caseworker** - This person works for the Department of Human Services and helps get what you and your family need.

## WHERE WILL YOU LIVE NOW?

If one of your relatives, such as your grandparent, an aunt or uncle, or a family friend can take care of you, you may be able to live with them. If that is not possible, a safe place will be found for you to live. You will live there until you can be returned to your home or until a permanent home can be found for you.



## WILL YOU GET TO SEE YOUR PARENT/GUARDIAN?

In most cases you will be able to have contact with your parent/guardian. Otherwise, your parent/guardian will be required to do certain things before you are able to have contact with them. Your caseworker and Guardian ad Litem, with the permission of the court, will decide when, where, and how often you get to see your parent/guardian. As things get better in your case, you may get to see them more often. You will usually get to see your brothers and sisters if you are not living together, unless one of you has hurt the other.

## Remember

Everyone wants to be sure that you have a safe place to live.

You should never be left alone with no one to take care of you.

Go to school and do the best you can.

Ask questions and talk about what is happening to you and how you feel about it.

Talk and visit with your friends if you can.

Your caseworker, Guardian ad Litem, and CASA volunteer are there to help you any way they can. Don't be afraid to tell them how you feel and ask them questions about what is happening.

The law requires that you be returned to your home if your parents/guardians are able to provide you with a safe home and they can properly supervise you.

The judge or magistrate in your case works very hard to make decisions that are in your best interests.

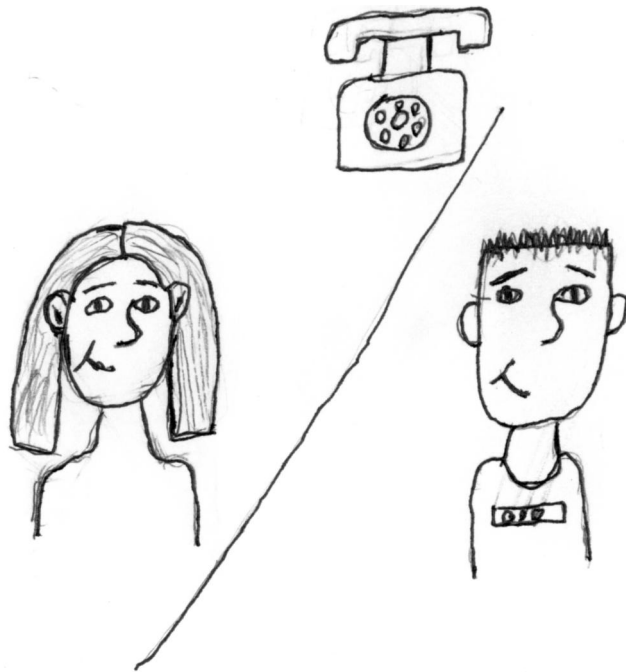
If you have any concerns about how you are feeling, or if you are unsure about what is going to happen to you or your family, talk to someone who is working with you in your case.

Let the judge know what is important to you.



## **WHO CAN YOU TALK TO ABOUT WHAT HAS HAPPENED TO YOU?**

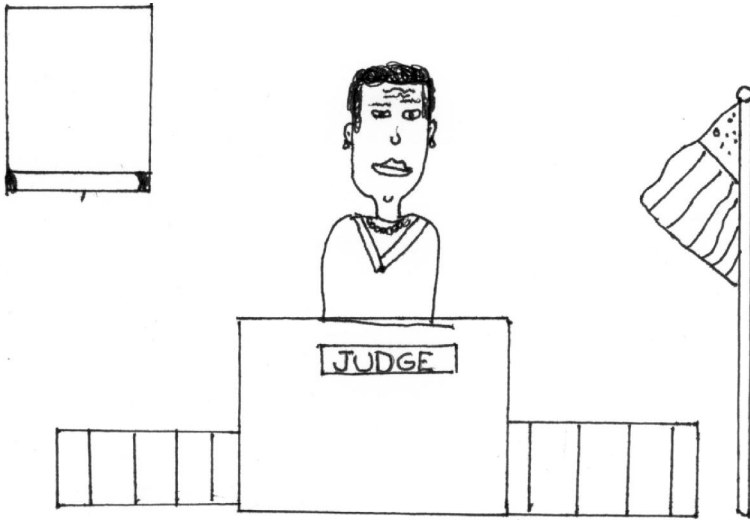
You can talk with your caseworker or therapist, if you have one. You can also talk with your Guardian ad Litem. Your GAL was chosen by the court to help you and to represent your best interests in court. You may discuss anything you want with your GAL or other adults that you trust. Sometimes a volunteer from CASA (Court Appointed Special Advocate) is also appointed by the judge to represent you. Your CASA worker is a volunteer who is responsible for telling the judge how you feel and what is in your best interests. All of these people will help you in any way that they can.



## **WHAT SHOULD YOU SAY IF YOUR FRIENDS ASK YOU WHY YOU ARE NOT LIVING AT HOME?**

It is okay to tell your friends that you don't want to talk about it. You can also tell your friends that you and your parent/guardian are having some problems and you are living somewhere else until the problems are solved.

**CASA volunteer** - A person appointed by the judge to help the judge decide what is in your best interests. You may or may not have a CASA volunteer in your situation.



### **CAN YOU TALK TO THE JUDGE?**

If you want to talk to the judge tell your caseworker, Guardian ad Litem, or CASA worker. You can also write a letter to the judge and give it to your caseworker, Guardian ad Litem, or CASA worker. They will give it to the judge for you.

You might not get all that you want from the judge, but the judge will consider what you have to say in determining what is in your best interests.

### **WILL YOU BE ABLE TO LIVE AT HOME AGAIN?**

The judge will decide if you will be able to live at home again. The judge will let you go home if it is safe for you. Until you are able to go home, the judge will decide where you live.

## **HOW DOES THE JUDGE DECIDE IF YOU SHOULD GO HOME?**

The judge's job is to decide what is in your best interests. Before the judge makes a decision, the judge will listen to what your caseworker has to say. The judge will also listen to your Guardian ad Litem, your parent/guardian, your parent/guardian's attorney, your relatives, and many other people who care about you. The judge will also think about what you have to say. After the judge hears what everyone has to say, the judge will make a decision on where you should live. Remember, the judge will make a decision based on what everyone says and what is in your best interests.

### **HOW LONG WILL THIS LAST?**

The judge has to give you and your parent/guardian time to do some things before you can go home. The judge requires your parent/guardian, the caseworker, your Guardian ad Litem, or CASA worker to attend hearings every few months. At these hearings, the judge listens carefully to everyone to learn how things are going with you and your parents.

Some young people are unable to go home because their parents/guardians are not able to give them a safe place to live or properly supervise them. If that is the case, the judge will decide where you should live until you are able to live on your own.

