



1

---

---

---

---

---

---

---



Communication Strategies with  
Children, Parents & Professionals

2

---

---

---

---

---

---

---



### Out-of-Court Meetings

- Treatment Provider Staffings
- Team Decision Making (TDM)/VOICES
- Education Meetings
- Mediations
- Parent and Child Interaction

3

---

---

---

---

---

---

---

## GAL needs to be prepared & informed to discuss:



Purpose/Situation that triggered the meeting.

► Initial meeting after a case is filed is information-gathering for GAL to form his/her theory of the case.



Danger or harm for which the child is **currently** at risk.



Danger or harm for which the child has **historically** been at risk.

4

## GAL needs to be prepared & informed to discuss:



Risk factors or complicating factors including past incidents.



What is currently working well?

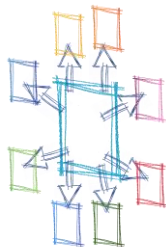


Strengths of the child and family.

► Solution-focused discussions. It is important for the GAL to find strengths in the family and build on those. Every family has something they do well and finding that is crucial.

5

## Assessing Services for the Family



- What are the current services?
- What are the current providers?
- Amount of time the services are offered?
- Analyze each and every service to determine purpose and effectiveness. (Behavior-focused)

6

## Analyzing **each** service for **each** member of the family





### Example: **FATHER**

- Are services appropriate and addressing the issue(s) that brought the case to the court?
- Explain progress or lack of progress?
- Be specific!
- Do not just say that you have concerns. Families deserve for the GAL to be specific.
- Are additional services needed?— and if so, what are they?


7

## Other Topics to Discuss


 Placement.

 Parenting Time.  
(NOT visitation)


Does it need to be  
expanded or reduced?

 Education.

 Medical.

 Barriers to return home or remaining home.

 Safety Network.

 Permanency.

8

## Tone and Appearances

- During out-of-court meetings, it is important to stay professional and unbiased.
- Families often categorize every professional together as the “system.”
- Avoid the appearance of being in the department’s “pocket.” Acting too friendly with the respondent parent counsel or caseworker can lead to a parent feeling distrustful and will not allow for open communication.



9



## Engaging Children and Building Rapport

- The dictionary defines rapport as "a close and harmonious relationship in which the people or groups concerned understand each other's feelings or ideas and communicate well."<sup>17</sup>
- **Rapport is based on respect and acceptance.**

10

---

---

---

---

---

---

---

---

## Building Rapport with Youth



- Engaging the child and bringing the child to trust and believe that you are there to listen and help.
- You must listen actively and let the child know that you are interested in the information being provided.
- Every detail is important.
- Children have a lot to say!

11

---

---

---

---

---

---

---

---

- Children are the experts about their family and their life.
- Even parents who have made mistakes know their child, and the information they can provide should be honored and respected.
- The GAL does not tell the child what is important. Rather, the child tells the GAL what is most important.



12

---

---

---

---

---

---

---

---



13

- Children are often scared and confused about why you want to speak to them.
- Ask the child why they think you want to speak to them.
- Allow the child to explain and asks questions for as long as the child needs.
- The interview time is driven by the child not the GAL.

---

---

---

---

---

---

---

---



14




---

---

---

---

---

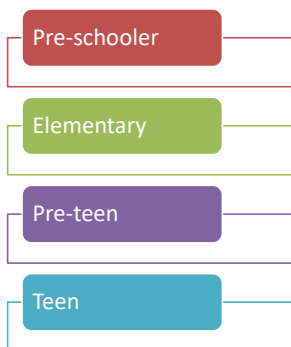
---

---

---



15




---

---

---

---

---

---

---

---

## Pre-schooler




---

---

---

---

---

---

---

---

16

## Elementary




---

---

---

---

---

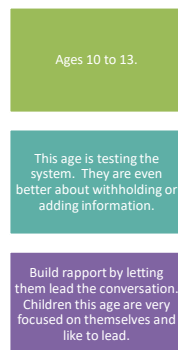
---

---

---

17

## Pre-teen




---

---

---

---

---

---

---

---

18

## Teen

Ages 13 and up.

This age is attempting to be independent.

They want to be treated as adults and will be more open if treated maturely.

Look for things that interest them.

Be aware they may say something to startle you and are testing to see how you react.

19

## 18 to 21 Years Old

- ✓ Dependency & Neglect Jurisdiction (19-3-205)
- ✓ Jurisdiction SHALL continue until a youth turns 21, unless earlier terminated by the court.



20

## 18 to 21

Youth these age may or may not have developed adult narrative skills.

They can become confused with linguistic ambiguity like metaphors, sarcasm, or jokes.

They will still lose track with long, complex questions.

They are very reluctant to ask for clarification or acknowledge they do not understand something. Pay attention to body language.

21

## Gaining Rapport



SETTING



STYLE



LANGUAGE



TRUST

22

## Setting



- Quiet
- Private as possible
- Minimal distractions
- Children will watch the cues from siblings and adults. Be mindful of non-verbal cues.
- Interview each child alone. They each have their own story to tell.

23

## Style



- Use a non-threatening opener.
  - Examples: "Tell me something you like to do for fun?"
  - "I wonder if it is hard to talk to someone you just met?"
  - "I am here to talk to you and listen to what you want? You are like my boss!"

24





## Style

- Sit on the floor or eye level with the child.
- Use a verbal tone that is not threatening or aggressive.
- Use comforting touch only when appropriate.

25

---

---

---

---

---

---

---

---



## Language

- Verbal and Non-verbal Language
- Developmental age vs. Chronological age.
- Children are confused by complicated language, compound or excessively long sentences.
- NO legalese.
- Using language the child does not understand interferes with rapport building.

26

---

---

---

---

---

---

---

---

## Language

- Using language a child readily understands reinforces and enhances rapport and trust.
- Use the language the child is using.
- Remember important people, places or things that the child has discussed. What is important to the GAL may not be important to the child.



27

---

---

---

---

---

---

---

---



## Language

- Choose language that is appropriate to the developmental level of the child.
- Understanding the developmental level is necessary to speak to a child and interpret their statements.
- Do not question children like they are adults.
- Keep your messages simple, concise and to the point.
- Focus on topic or one aspect at a time.
- Avoid frequent or rapid switches of topic.
- Use the child's words. For example if the child calls their father "Shorty" use that word instead of father.

28

---

---

---

---

---

---

---

---

## Non-Verbal Language



- Adjust your body language and approach so that you are non-threatening.
- Observation of the non-verbal behaviors of the child may also give insight into how the child is feeling.
- Speak to the child at their level and make eye contact.
- Be careful to not react in a negative way to what the child is saying.

29

---

---

---

---

---

---

---

---

## Comprehension

- Children can usually understand more than adults give them credit for.
- Even very young children can provide helpful information and understand more than is obvious.
- Children with developmental delays and communication deficits can understand and participate in their case.



30

---

---

---

---

---

---

---

---

## Building Trust



- Trust builds with children and adults by specific acts carried through consistently over time.
- Building a trusting relationship with children does not happen overnight. It takes time and patience.
- Remember these children have been failed by the adults who should have protected them so they are slow to trust new people.

31

---

---

---

---

---

---

---

---

## Building Trust



- Trust must be earned and maintained with consistent actions.
- If you tell a child you are going to do something you must follow through. These children give you one chance before they decide if you are trustworthy.
- Once the trust is broken it is hard to ever go back.

32

---

---

---

---

---

---

---

---

## Tips for Building Rapport and Trust



- First impression is a crucial stage.
- The GAL should present themselves as a neutral, non-intimidating, supportive adult.
- Give the child time to become familiar with you and the environment.
- Give the child simple choices.
- Begin with neutral, non-threatening questions.

33

---

---

---

---

---

---

---

---



## Tips continued

- Pay attention and avoid distractions.
- If a child is withdrawing or have a negative response end that line of questioning or even end the interview.
- A child may need to be interviewed multiple times for short periods of time to become comfortable and able to talk about their abuse.

34

---

---

---

---

---

---

---

---



## Rapport-Building with Parents

- Respect the parents even though they may have made some mistakes.
- Parents may be defensive, scared, suspicious, guilty, shameful or angry.
- The court process can be long and confusing. For parents waiting to find out what will happen with their children is very stressful. A GAL can help alleviate this by providing updates and letting a parent know your concerns and positions on an ongoing basis.

35

---

---

---

---

---

---

---

---

## Rapport-Building with Parents



In the beginning of the case the GAL needs to explain their role and how that differs from the caseworker, respondent parent counsel or any other party.



Take away the "unknowns" so that honest communication can occur.



Set the GAL's expectations in the beginning of the case.



Explain the duty of an independent investigation.

36

---

---

---

---

---

---

---

---



## Tips

- Acknowledge parents at court, meetings, home visits, etc.
- Learn their names and find out how they would like to be addressed.
- Communicate often in various forms.
- Invite them to share any concerns or issues.
- Let them know what is expected and how they can help.
- Allow parents to be involved in some decisions when appropriate.
- Share every success and attempt to remain solution focused.

---

---

---

---

---

---

---

---

37

## Communication Strategies with Parents and Professionals

- Be respectful. Everyone has a job and role to do.
- Be open to other's positions and listen to their points of view.
- Even when you do not agree state your position using not only the facts but the LAW.



38

---

---

---

---

---

---

---

---



## Cultural Competence

Cultural competence is a set of congruent behaviors, attitudes, and policies that come together in a system, agency or among professionals and enable that system, agency or those professions to work effectively in cross-cultural situations.

---

---

---

---

---

---

---

---

41



- The word **culture** is used because it implies the integrated pattern of human behavior that includes thoughts, communications, actions, customs, beliefs, values and institutions of a racial, ethnic, religious or social group.
- The word **competence** is used because it implies having the capacity to function effectively.

*Cross et al. (1989)*

42

---

---

---

---

---

---

---

---

"At the individual level, this means an examination of one's own attitude and values, and the acquisition of the values, knowledge, skills and attributes that will allow an individual to work appropriately in cross cultural situations."

*Denboba, MCHB, 1993*



43

---

---

---

---

---

---

---

---



Cultural competence mandates that organizations, programs and individuals must have the ability to:

- value diversity and similarities among all peoples;
- understand and effectively respond to cultural differences;
- engage in cultural self-assessment at the individual and organizational levels;
- make adaptations to the delivery of services and enabling supports.

44

---

---

---

---

---

---

---

---

## Cultural Considerations

- The same person can belong to several different cultures depending on his or her birthplace; nationality; ethnicity; family status; gender; age; language; education; physical condition; sexual orientation; religion; profession; etc.
- Culture is the lens in which someone views the world.




---

---

---

---

---

---

---

---

45

## Cultural Considerations

- Becoming more aware of cultural differences as well similarities, can help a GAL communicate with others more effectively.
- Do not be afraid to acknowledge a lack of understanding and have the child or family explain their culture.
- However, being from a different culture does not justify abusive behavior!




---

---

---

---

---

---

---

---

46



## Effectively Interviewing the Child

---

---

---

---

---

---

---

---

47

## Beginning the Interview



- Home visits are often the best and most appropriate place to interview a child.
- Explain your role as GAL.
- Explain the limitations of confidentiality. Use age and developmentally appropriate language.
- Describe best interest representation.

---

---

---

---

---

---

---

---

48

## More techniques

- Playing an age-appropriate game in the beginning will help the child to reduce anxiety.
- It is very important to remember that as we are interviewing, we are also observing a child's behavior. Do not fall into the trap of misinterpreting their play or taking their words literally. Do not reach a conclusion based on one piece of information.




---

---

---

---

---

---

---

---

49



## Communication Challenges

- Child refuses to speak
- Developmentally delayed child
- Child is so unfocused they cannot be interviewed.
- Child is angry and violent.
- Child is over medicated.
- A child is distraught.
  - Be patient! Do not panic the child will come around if you show empathy and compassion.

---

---

---

---

---

---

---

---

50





51

## Do not...

- Change the subject when the discussion is about a difficult topic.
- False Reassurance: do not make promises like "Everything will be fine."
- Passive or aggressive responses: Passive responses avoid an issue that should be discussed. Aggressive responses can provoke a confrontation.
- Do not argue with a client. Pointing out why you disagree is good modeling and informs that client of how you see things differently.

---

---

---

---

---

---

---

---

## Infants

- Since we cannot interview an infant, observation of the child in their environment is helpful.
- Observe the child with their parents and also if they are placed out of the home with their caretakers.
- Assess the child's developmental progress or lack thereof.
- Interview all the collaterals who know the infant.



52

---

---

---

---

---

---

---

---



## 2 to 5 Years Old

- Use short simple sentences and questions.
- Use the child's terms. If you are not aware of the terms, ask the child "What do you call\_?" or "Tell me about\_?".
- Use names not pronouns. For example "Uncle Bruce", rather than "he".

53

---

---

---

---

---

---

---

---

## 2 to 5 Years Old



Rephrase a question a child does not understand rather than repeating it. This will help the child not become anxious or irritated.



If you repeat the question the child may think they gave the wrong answer the first time and change their answer to please the interviewer.



Avoid as much as possible questions with time.



Children who not do want to be interviewed often do better with games such as: 3 wishes, magic wand, or telephone.

54

---

---

---

---

---

---

---

---



## 6 to 9 Years Old

- Some of the same techniques work well with this age group too.
- Do not ask "Do you understand?". A better method to assess comprehension is to have the child to repeat what you have said.
- Try not to follow every question with another question. Children do better when it is more of a conversation.
- Games are also effective with this age group.

55

---

---

---

---

---

---

---

---



## Teens

- Many of the previous techniques apply to this population as well.
- Teens can be angry, hostile and defensive.
- Playing games or drawing do not usually work.
- Teens will have more questions and concerns about best interest representation and this should be explained multiple times.

56

---

---

---

---

---

---

---

---

## Teens



Teens will have a much better understanding about what is happening with their family and why a GAL is involved.



They may be protective of both themselves and their family so may be resistant to questioning.



Focus on topics that are central to their life but are not about the abuse or neglect. Examples are dating, friends, classes, sports.

57

## Young Adults



- Even with young adults, use simple, one-topic questions.
- Ask them what they think is going on with their case to assess their understanding and to also see what their plan is. This is especially important with emancipating youth.
- Try to distinguish between normal adolescent behavior and withdrawal.
- Encourage this group of youth to attend hearings and model for them self advocacy.

58

## Synthesizing the Information

- Putting together all the information you have learned about the child to help form your position and next steps in the case is a painstaking task.
- Every piece of information is important.
- Like putting a puzzle together, the goal now is to make the information clear enough so that you can formulate a best interest recommendation.



59



## Best Interest Determination

- The GAL's determination of what is in the child's best interests must include an independent investigation.
- The child must be consulted in an age and developmentally appropriate manner, and the GAL must inform the court of the child's position.
- When appropriate the child should attend court in person.

60

---

---

---

---

---

---

---

---

### Independent Investigation

**CID 04-06:** Conduct an independent investigation in a timely manner. This investigation must take place within the first 45 days of the appointment unless sooner as required below and must include at a minimum:

- Personally conducting an in-person meeting with the child and interviewing the child (if appropriate to the child's developmental level, observing the child with his or her caregiver in his or her placement and conducting an in person assessment of the child's placement as soon as is reasonable but in no event later than 30 days following the GAL's appointment; *Commentary:* This requirement neither mandates nor is fulfilled by a GAL's meeting with the care providers and observing the child in a temporary intake placement, respite care, medical setting or juvenile detention holding facility, unless that is the only opportunity to observe the child.
- Personally meeting with placement providers. When possible, meeting with proposed placement providers and observing the child's interaction with proposed placement providers, either personally or through the use of qualified staff;
- Personally interviewing the respondent parents, with the consent of counsel. Making diligent efforts to observe, either personally or through CHIEF JUSTICE DIRECTIVE 04-06 Revised May 2019 Page 8 of 18 the use of qualified staff, the child's interaction with respondent parents;
- Reviewing court files and relevant records, reports and documents;
- Obtaining first-hand information from other persons or professionals necessary to assess and serve the child's best interests. Such persons or professionals shall include caseworkers, CASA volunteers, relatives, school personnel, therapists, treatment providers and any other persons or professionals necessary to assess and serve the child's best interests.
- Confirm that the county department's investigation has included a diligent search for any prospective kinship placement and/or adoption or potential tribal affiliation, or independently conduct such investigation, in the event these attempts to reunify fail.
- When appropriate, visiting the home from which the child was removed.

61

---

---

---

---

---

---

---

---

## Best Interest Determination



- What happens when the child's position is not aligned with the GAL's position.
- The GAL must still relay what the child wants to the court.
- The GAL can then argue what they feel is in the child's best interest. NEVER surprise the client on the record. The child should be prepared in advance about WHAT the GAL plans to argue and also WHY the GAL is taking a different position.

62

---

---

---

---

---

---

---

---

## Best Interest Determination



After court the GAL must make time to explain to the child what happened.



Respecting the child's anger, disappointment, or confusion is essential to maintaining a trusting working relationship.



A GAL may need to do some work in re-building rapport and trust.

---

---

---

---

---

---

---

---

63




---

---

---

---

---

---

---

---

64



### Core Competencies I: Orientation for New Attorneys

Chris Henderson, Esq. | Executive Director  
chrishenderson@coloradochildrep.org  
720-351-4345

---

---

---

---

---

---

---

---

65