

Make Your Voice Heard: A Guide to Dependency Court

Office of the State Courts Administrator, Office of Court Improvement

Tammy: Hi, my name is Tammy Workman. I'm 32 years old, I have a master's degree, and I'm a senior policy advisor for transitional youth services at Florida's Department of Children and Families. But that's not what this video's about. You see, the path I went through to get here was foster care, and I learned a lot from my experiences there. I learned some things that I think can help you. When I was 15 years old I was taken into foster care because of sexual abuse and neglect. And I was placed with my little sister who was seven, and my little brothers who were three and five went to a different home. It was really hard and scary and it took talking to a counselor, my mom, my foster parents, and working with my guardian ad litem and the courts to really understand and feel safe, instead of feeling ashamed and thinking the things happening to my family were all my fault. Being in foster care was filled with new homes, new schools, new faces, new names, new rules, new foods, new siblings, and everyone telling me what was best for me, everyday. Fortunately, I realized it was okay to ask questions, and people really did want to hear from me. They wanted to hear from me especially in court where I got to be part of the people telling the judge what was best for me. My judge was great; he listened, asked questions, and called me out if I wasn't doing well or if I was doing a great job. If I wasn't there to share what was really happening to me then others could only tell him what they knew and it couldn't always be accurate because things changed for me all the time. I'm glad I had the opportunity to talk to a judge, but so many others didn't have that opportunity. In court they were making important decisions about my life — like where I was going to live, when I could see my mom, and how my brothers were doing — I'm so glad I was able to be there to say what I wanted.

Now more than ever, the court wants to hear your voice. I'm making this video to tell you what happens in dependency court and to tell you to make your voice heard.

Okay great, alright here's what we're going to do. We need to be in the courtroom in fifteen minutes. When we get there, I'll talk a little bit about what happens in dependency court. Next we're going to interview the judge and then meet some of the other people that will be in the courtroom. And then, we'll record some of the hearings to get an idea of what dependency court actually looks like. Ready? Alright, lets' go.

You have the right to go to court. If you don't have a way to get there, ask your case manager, your guardian ad litem, or the person you're staying with to help you figure out a way to get you there. Make sure you leave early though; sometimes parking can be a hassle. You may have to pay for your parking spot, so bring some quarters just in case.

So what is dependency court and how does it affect you? This kind of court is all about making sure that children and youth are safe and protected. It is not about punishing parents but about helping families with the problems that brought them into court in the first place. The court will be making important decisions about your family and your life, like where you're going to be living, and when you can visit your mom and dad, or when will you visit your brothers or sisters.

Sometimes going through security takes a while. This is another reason you should give yourself plenty of time to get here. Obviously weapons of any kind are not allowed in court, but other sharp objects that you may have such as scissors and nail files aren't allowed either.

Tammy: Hello judge.

Judge: Yes

Tammy: It's Tammy; we're here for the interview

Judge: Oh, come on in.

Tammy: Hi judge, how have you been?

Judge: I'm great; how are you two?

Tammy: Oh, we're doing great; thank you so much for asking. The reason we're here is we are doing a video to let foster youth know what it's like to be in a dependency court. And can you tell me exactly what it is you do in the courtroom?

Judge: Should I look at you or the camera?

Tammy: If you could look at the camera that would be great.

Judge: Okay. My main job is to listen to all of the people in the courtroom, learn the facts of the case, make sure children and youth are always safe, and ultimately decide if and when they can return to live with your parents.

Tammy: When I went to court when I was younger, everything was really confusing. Could you give a simple breakdown of the process?

Judge: Well, I'll start at the beginning. You may have been removed from your home. If you were, you're probably staying either with a relative, a foster parent, or a group home. You've most likely met your case manager by now, and your case manager will visit you regularly. Your case manager will also be working with your parents. Parents will have a list of things that they have to do to make things better at home and to make sure that you're safe.

Tammy: That's called a case plan, right?

Judge: Yes, you're right. Going to parenting classes, getting a job, and getting substance abuse or mental health treatment are all examples of things that can be on a case plan. Case plans are built by the judge and explained to parents in court. Court is the place where everyone meets together to talk about these issues, where I check to see if all of these things are being done and to make sure everyone is following the law.

Tammy: Is there anything else that you would like to say to the youth that are watching this video?

Judge: We want to hear from you. It's like I tell the youth that appear in my courtroom. You are the expert on yourself and can help me understand you and your needs. Now you might not be able to get exactly what you want from me, but I will always consider what you have to say in determining what is in your best interests. In most cases, I think it's best for youth to attend court. But if you can't go to court or you just don't feel comfortable going to court, then we still want to hear from you. And some courtrooms can have you appear by video. You can also call in to a hearing from your phone, or you can even write a letter explaining what you want. If you do write a letter, just know that the information in your letter will likely be shared with other people in the courtroom.

Tammy: Thank you so much for your time judge. Speaking of other people, we're going to go over to the courtroom and talk to some of them. Is that still okay with you?

Judge: Oh, no problem at all, I told them you were coming.

Tammy: Okay, great. Thanks.

Judge: Your welcome.

Tammy: Alright we're here; let's go meet everybody in the courtroom.

Hi everybody, how are you? Good, my name is Tammy and this is Shea, and we're here because we're making a video to let kids in foster care know what it's like to be in a dependency court. And what I'd like to do is ask each of you what it is that you do and how it affects their lives. And I'll start with you.

GAL Attorney: I'm an attorney. I work for the guardian ad litem program or GAL for short. I'm in the courtroom to help the judge understand what you need and what's best for you. Also in the courtroom next to me will be the GAL case coordinator and the GAL volunteer.

Tammy: Great, thank you so much. And what about you?

GAL Volunteer: I'm a volunteer guardian ad litem. And if you have a guardian, they should visit with you at least once a month, talk to people close to you — like teachers and grandparents

— then make recommendations to the court. The guardian is not on anyone’s side. We just want what’s best for you.

Tammy: Great thank you, and thank you for your volunteer work. And what about you?

DCF Attorney: Hi, I’m an attorney. I work for the Department of Children and Families. My role here in the court is to present the facts and lead discussion about the case. My job is to keep children and youth safe and get them back in to a safe home or permanent place to live as soon as possible.

Tammy: Great, thank you so much. And what is it you do?

DCF Case Manager: Hi I’m a case manager, and I’ll work with you and your family and visit you to help you get the services that you need, like making sure everything’s going okay with you at school, making sure you’re getting your family visits, and making sure you’re going to the doctor when you need to. I’ll also be asking you how you like where you’re staying and where you might like to stay. It’s important for us to work well together, so I can try to get you what you want and need. And you’ll always have my number if you need me.

Tammy: Great that’s wonderful information. Thank you so much. And how about you?

Parent’s Attorney: I’m a parent’s attorney. I tell parents about the hearings they have to go to and what to expect. I then tell the judge what the parent wants and what the parent thinks is in the child’s best interests.

Tammy: Great, thank you all so much.

If you were removed from your home, the person you’re staying with has the right to be in court with you. You and the person you’re staying with should both try to make it to court. You’re both important to this dependency process and can provide a lot of useful information. The bailiff over there makes sure that everyone in the courtroom is safe and will ask you to rise and then be seated when the judge enters. Over there, the clerk keeps a record of what happens

in the court. The courtroom may be filled with other people who are here for their hearings as well. And all that's left is the judge, and we already spoke with her.

Bailiff: Order in the court. All rise for the Honorable Linda Parker. Court is now in session.

Tammy: Okay here comes the judge. Let's go get a seat; the hearings are about to begin.

Judge: First case on the docket is Dana Patterson for an arraignment hearing.

Tammy: I'm not going to explain each hearing in this video, but we'll take a look at some of the things that you can expect to see. Now it may take a long time before you're called up for your hearing. You may want to bring a book or a magazine to read while you're waiting. And it would also be a good time to do your homework. No cell phones or other electronic devices are allowed in the courtroom.

Judge: Would you like to have an attorney appointed to represent you?

Ms. Patterson: Yes

Judge: Okay, I appoint Austin Harris to represent Ms. Patterson.

Tammy: The parent now has an attorney to represent her.

Judge: Next case on the docket is a disposition hearing for the Smith family. And how is Lauren doing at her current placement?

Case Manager: Your honor, at my last visit she indicated that she really liked it there.

Judge: Did Lauren express any worries or concerns about where she is currently staying?

Case Manager: No your honor.

Tammy: Wouldn't you rather answer questions about how you're doing and how you're feeling rather than someone else answer for you?

Judge: Okay, we have a disposition hearing for the Gibson family next. How has visitation been going?

Mr. Gibson: It's been going fine, I see Nathan twice a week and it's great.

Tammy: It's great that the parent's having wonderful visits, but it's just as important for us to hear from Nathan how the visits are for him.

Judge: We have a judicial review hearing for the Williams family.

Judge: Let's talk about what you've done on your case plan. Have you gone to your parenting class yet?

Ms. Williams: Not yet

Judge: Now Ms. Williams, you really need to go to your parenting classes. This is part of your case plan and something you need to do in order to get your kids back.

Tammy: Remember the case plan is a list of things that your parents need to do. In court, the judge checks to see which things your parents have done and which things he or she have not done.

Judge: The next case is a judicial review hearing for the Brantley family. Let's talk about Susan's placement. Have we gotten the home study results on the aunt and grandmother yet?

Case Manager: Yes, your honor, we have the home study results, and both the grandmother's and the aunt's homes have been approved for placement.

Judge: Okay, well Susan's currently in foster care. Do we know where she wants to stay?

Case Manager: Your honor, during our last visit she indicated she was leaning towards staying with her grandmother.

GAL Attorney: Your honor, Susan's GAL volunteer met with her last week, and at that time she told her that she would like to stay with her aunt so that she could stay in the same school.

Judge: Okay, talk to Susan to make sure that that's still the case. Then we'll move forward on this.

Tammy: If we knew how Susan felt today, the case would have been able to move forward. That's why it is so important for young people to keep in touch with their case managers and guardian ad item.

Judge: Judicial review hearing for Thomas Miller. Oh good, I see Thomas is here today.

Thomas: Good morning.

Judge: Good morning. Thomas, feel free to ask any questions at any time during this hearing.

Thomas: Alright.

Tammy: Court hearings can be very intimidating. It's alright to be nervous; everyone gets nervous the first time they come to court. A way to help this is to be prepared. Write down your questions before you're called in to your hearing, and stick to what you know. No one expects you to know everything. If you're asked a question and you don't know an answer, just say "I don't know." Make sure to ask about anything that's bothering you and about what's happening in your case. You can write down questions and ask later.

Judge: Now before we talk about what's been done on the case plan, are there any issues that need to be addressed?

Case Manager: Yes your honor, at the last hearing we talked about Thomas possibly going to California to visit with his grandmother, but since then I've learned that there is a basketball camp he'd like to attend.

Judge: Thomas, where would you rather go, to your grandmother's house in California or to the basketball camp?

Thomas: Well, I just found out that there are two sessions of camp. Could I go to my grandmother's house during the summer and go to camp when I get back.

Judge: I don't see a problem with that Thomas. Thank you. And oh, thanks for coming to court today.

Thomas: Alright.

Tammy: As you can see, a lot goes on in dependency hearings. Most adults even have a hard time understanding them. If you're not sure what just happened, ask your case manager or

volunteer guardian ad litem about it after your hearing. Don't be afraid to ask questions so that way you understand what's going on and what the judge just decided.

Judge: That concludes our hearings for today. Court is adjourned.

Tammy: Okay let's get the final shot. Well that's it for me. I hope you learned some new things about dependency court. You now know what it's like to go to court, who will be in the courtroom, and what some of the hearings look like. What happens next is up to you. Whether it's writing a letter, appearing by phone, or showing up in person, make sure the court hears your voice. And remember, your voice is important and if you don't ask or express what you need to the right people, no one will know or be able to do anything about it. Oh, and good luck!