



# Welcome to the Multi-Disciplinary Child Abuse and Neglect Institute

## The First 75 Days

The Georgia Supreme Court Committee on Justice for Children  
and  
National Council of Juvenile and Family Court Judges

Coweta Judicial Circuit  
December 2-3, 2021



# A Word and The 75-Day Challenge

- ❖ A word from the host judges
- ❖ A word from the National Council of Juvenile and Family Court Judges
- ❖ A word from the Committee on Justice for Children
- ❖ History of the Multi-Disciplinary Child Abuse and Neglect Institute
- ❖ You own what you don't disown
- ❖ Intended to be interactive
- ❖ Materials website

COMMITMENT







# Multi-Disciplinary Child Abuse and Neglect Institute

## The Enhanced Resource Guidelines

The Georgia Supreme Court Committee on Justice for Children  
and

National Council of Juvenile and Family Court Judges





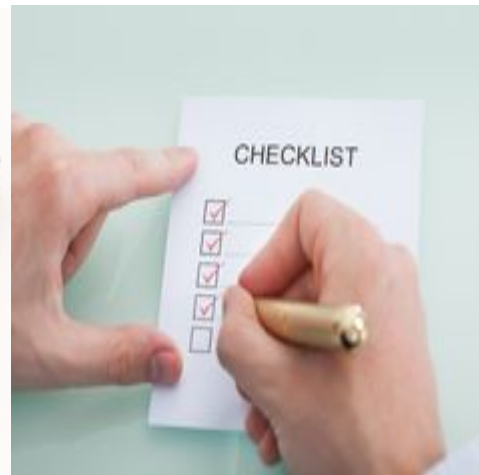
# Setting the Stage for Better Permanency Outcomes

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Establishing the Foundation ....

## The NCJFCJ Enhanced *RESOURCE* GUIDELINES

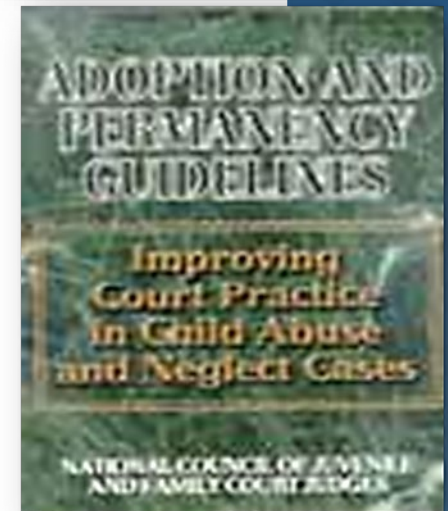
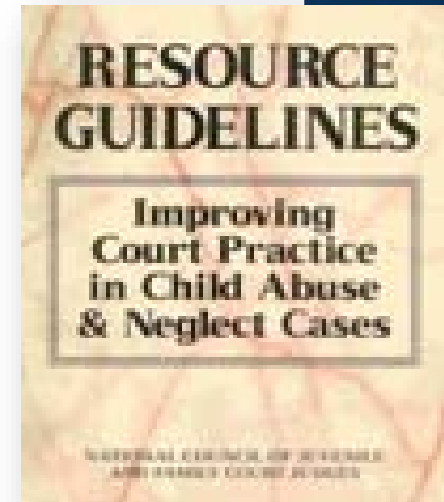
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# ENHANCED *RESOURCE GUIDELINES*

- Purpose
- Value to all child protection stakeholders
- Need for enhancement  
Changing law, knowledge gained about best practices







# ENHANCED RESOURCE GUIDELINES

## Key Principles of Permanency Planning

- Keep families together
- Ensure access to justice
- Cultivate cultural responsiveness
- Engage families through alternative dispute resolutions techniques
- Ensure child safety, permanency and well-being



### Key Principles for Permanency Planning for Children

Judging in juvenile court is specialized and complex, going beyond the traditional role of the judge. Juvenile court judges, as the gatekeepers to the foster care system and guardians of the original problem-solving court, must engage families, professionals, organizations and communities to effectively support child safety, permanency, and well-being. Judges must encourage the court system to respond to children and their families with both a sense of urgency and dignity. These key principles provide a foundation for courts to exercise the critical duties entrusted to them by the people and the laws of the land.

#### Keep Families Together

Families are the cornerstone of our society, and children have a right to grow up with their families as long as they can be safe. Each child and family deserves to be treated fairly and holistically, regardless of how and why they enter the court system. Judges must ensure that all children and each parent are afforded their constitutional rights to due process. Judicial determinations to remove children from a parent should only be made based on legally sufficient evidence that a child cannot be safe at home. Children and families must be an integral part of the planning and problem solving process.

#### Ensure Access to Justice

Judges must ensure that the courtroom is a place where all who appear are treated with respect, patience, dignity, courtesy and as part of the problem-solving process. Juvenile courts must be child and family-centered and presumptively open to the public. Children and parents must have the opportunity to be present in court and meaningfully participate in their case planning and in the resolution of their case.

#### Cultivate Cultural Responsiveness

Courts must be welcoming and respectful to people honoring family in all its forms. All members of the court system must be sensitive to the ethnic and cultural traditions, mores and values of the community. Courts should become aware of, and remediate to the extent possible, any bias or discrimination that may exist in the court system.

#### Engage Families Through Alternative Dispute Resolution

Judges should encourage and support the development of alternative dispute resolution techniques to resolve family disputes. Courts should support the development of mediation, family group conferencing, and other dispute resolution techniques that are most beneficial to the children and parents in the case.

#### Ensure Child Safety, Permanency, and Well-Being

Children should remain at home as long as they can be safe. Judges are responsible for ensuring that children are safe and that their physical, mental, emotional, and educational needs are met. Courts should ensure that children are safe and that their physical, mental, emotional, and educational needs are met.

#### Ensure Competent & Adequately Compensated Representation

Judges are responsible for ensuring that parties, including each parent, are vigorously represented by well-trained, culturally responsive, and adequately compensated attorneys who are committed to these key principles. Children should be parties to their cases. Children are entitled to representation by attorneys and guardians ad litem, and judges must ensure the child's wishes are presented to and considered by the court.

#### Advance the Development of Adequate Resources

Juvenile and family courts must be appropriately supported. Courts must maintain a sufficient number of specially trained and permanently assigned judicial officers, staff, attorneys and guardians ad litem to thoroughly and effectively conduct the business of the court. Judges should continuously assess the availability and advocate for the development of effective and culturally responsive resources and services that families need.

#### Demonstrate Judicial Leadership & Foster Collaboration

Judges must convene and engage the community in meaningful partnerships to promote the safety, permanency, and well-being of children and to improve system responses. The juvenile court must model and promote collaboration, mutual respect, and accountability among all participants in the child welfare system and the community at large. To demonstrate the effectiveness of the system and to improve its ability to serve children and families, courts should strive to maintain data on every aspect of the process and use that data to identify and achieve system improvements. Judges must encourage regular and productive review of system-wide processes to foster the continual goal of improvement.

#### Technical Assistance Brief

NCJFCJ Permanency Planning for Children Department, University of Nevada, Reno, P.O. Box 8370, Reno, NV 89507, (775) 337-0300

Approved by the NCJFCJ Board of Trustees - July 23, 2011





# ENHANCED RESOURCE GUIDELINES

## Key Principles (Cont'd)

- Ensure family time/visitation
- Provide judicial oversight
- Ensure competent and adequately compensated representation
- Advance the development of adequate resources
- Demonstrate judicial leadership and foster collaboration

[http://www.ncjfcj.org/sites/default/files/keyprinciples.final\\_permplanning.pdf](http://www.ncjfcj.org/sites/default/files/keyprinciples.final_permplanning.pdf)



### Key Principles for Permanency Planning for Children

Judging in juvenile court is specialized and complex, going beyond the traditional role of the judge. Juvenile court judges, as the gatekeepers to the foster care system and guardians of the original problem-solving court, must engage families, professionals, organizations and communities to effectively support child safety, permanency, and well-being. Judges must encourage the court system to respond to children and their families with both a sense of urgency and equity. These key principles provide a foundation for courts to exercise the critical duties entrusted to them by the people and the laws of the land.

#### Keep Families Together

Families are the cornerstone of our society, and children have a right to grow up with their families as long as they can be safe. Each child and family deserves to be treated fairly and honestly, regardless of how and why they enter the court system. Judges must ensure that all children and each parent are afforded their constitutional rights to due process. Judicial determinations to remove children from a parent should only be made based on legally sufficient evidence that a child cannot be safe at home. Children and families must be an integral part of the planning and problem solving process.

#### Ensure Access to Justice

Judges must ensure that the courtroom is a place where all who appear are treated with respect, patience, dignity, courtesy and as part of the problem-solving process. Juvenile courts must be child and family-centered and presumptions open to the public. Children and parents must have the opportunity to be present in court and meaningfully participate in their case planning and in the court process. It is the responsibility of judges to see that all children and each parent are afforded their constitutional rights to due process.

#### Cultivate Cultural Responsiveness

Courts must be welcoming and respectful to people of all races, legal, ethnic, and socio-economic statuses, honoring family in all its forms. All members of the court system must recognize, respect, and seek to preserve the ethnic and cultural traditions, mores and strengths of those who appear before the court. Judges must become aware of, and remediate to the extent possible, their own implicit biases that may adversely affect decision making.

#### Engage Families Through Alternative Dispute Resolution Techniques

Judges should encourage and support the development of family-centered, culturally responsive forms of dispute resolution to allow families to craft a plan before the court. Courts should support including mediation, family group conferencing, and other forms of dispute resolution that will be most beneficial to the children.

#### Ensure Adequate and Appropriate Family Time

Consistent with child safety, relationships between and among children, parents and siblings are vital to child well-being. Judges must ensure that quality family time is an integral part of every case plan. Family time should be liberal and presumed unopposed unless there is a demonstrated safety risk to the child. Sibling family time apart from parental family time should be considered. Family time should not be used as a case compliance reward or consequence.

#### Provide Judicial Oversight

Judges must provide fair, equal, effective, and timely justice for children and their families throughout the life of the case, continually measuring the progress toward permanency for children. The same judge should oversee all cases impacting the care, placement, and custody of a child. Through frequent and thorough review, without needless delay, judges must regularly exercise their authority to set and monitor the timelines, quantity, quality, and cultural responsiveness of the services for children and families. Judges should ensure that there is communication, collaboration and cooperation among all courts handling cases involving any given family.

#### Ensure Competent & Adequately Compensated Representation

Judges are responsible for ensuring that parties, including each parent, are vigorously represented by well-trained, culturally responsive, and adequately compensated attorneys who are committed to these key principles. Children should be parties to their cases. Children are entitled to representation by attorneys and guardians ad litem and judges must ensure the child's wishes are presented to and considered by the court.

#### Advance the Development of Adequate Resources

Juvenile and family courts must be appropriately supported. Courts must maintain a sufficient number of specially trained and permanently assigned judicial officers, staff, attorneys and guardians ad litem to thoroughly and effectively conduct the business of the court. Judges should continually assess the availability and advocate for the development of effective and culturally responsive resources and services that families need.

#### Demonstrate Judicial Leadership & Foster Collaboration

Judges must connect and engage the community in meaningful partnerships to promote the safety, permanency, and well-being of children and to improve system responses. The juvenile court must model and promote collaboration, mutual respect, and accountability among all participants in the child welfare system and the community at large. To demonstrate the effectiveness of the system and to improve its ability to serve children and families, courts should strive to maintain data on every aspect of the process and use that data to identify and achieve system improvements. Judges must encourage regular and productive review of system-wide processes to foster the continual goal of improvement.

Technical Assistance Brief

NCJFCJ Permanency Planning for Children Department, University of Nevada, Reno,  
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Adopted by the NCJFCJ Board of Trustees – July 23, 2011

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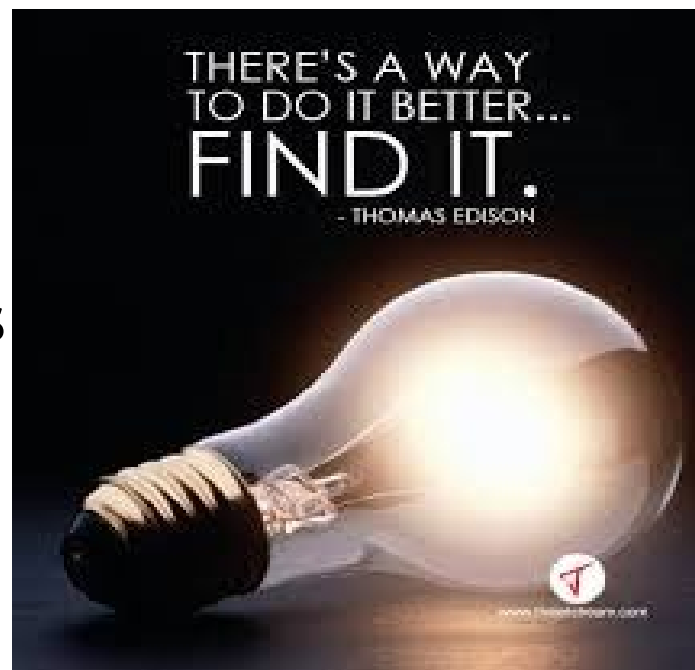
WWW.NCJFCJ.ORG



# ENHANCED RESOURCE GUIDELINES

## Every Bench Card

- Reflection on Decision-Making Process to Guard Against Bias
- Case Management
  - Before the Hearing
  - During the Hearing
  - After the Hearing
- Due Process Considerations
- Required Findings and Orders
- Engaging Parents, Children and Families
- Focus on Trauma and Child/ Youth Well-Being







# ENHANCED RESOURCE GUIDELINES

## The Bench Cards

- ⦿ Preliminary Protective Hearing
- ⦿ Adjudication
- ⦿ Disposition
- ⦿ Review Hearing
- ⦿ Permanency Hearing
- ⦿ Termination of Parental Rights



# PERSONS WHO SHOULD BE PRESENT AT THE PRELIMINARY PROTECTIVE HEARING

- Judge or judicial officer
- Parents of each child whose rights have not been terminated
  - Mothers, fathers (legal, biological, alleged, putative, named), non-custodial parents - all possible parents
- Child
- Assigned caseworker
- Agency attorney and/or prosecuting attorney
- Attorney for each parent
- Legal advocate for the child
- Guardian *ad Litem* (GAL); CASA
- Child's current placement (caregivers, foster parents, custodial adults, adoptive parents)
- All adult relatives of the child
  - Relatives (P.L. 110-351) with legal standing or other custodial adults, including adult half-siblings; paternal *and* maternal relatives
- Non-related extended family, fictive kin (persons known and trusted by the families; godparents)
- Parents of a sibling child, where such parent has legal custody of the sibling (P.L. 113-183)
- If ICWA applies: Indian custodian, the child's tribe, and attorney; tribal representative/tribal liaison; ICWA-qualified expert witness
- Treatment and/or service providers
- Parent partners, parent mentors if assigned/available, substance abuse coach, DV advocate
- Cultural leaders, cultural liaison, religious leaders
- Education liaison/school representative
- Education surrogate parent if appropriate
- Law enforcement
- Adult or juvenile probation or parole officer
- Court-certified interpreters or court-certified language services
- Court reporter
- Court security