

April 23, 2019: Meet the Judges (Stuzin & Lopez)

A special thanks to Judges Stuzin and Lopez for sharing their views and their time with us. We look forward to taking new cases in your courtrooms.

- 1) What do you want to hear from the GAL?
 - a. Judge Lopez: You are the eyes and the ears for the Court. I want to hear the truth!
 - b. Judge Stuzin: Your job is to represent the best interest of the child. You must tell the Court what is in that child's best interest. We make scary decisions every day and need to know what is best for the child.

- 2) What are your pet peeves?
 - a. Judge Stuzin: In my courtroom, DCF speaks first, then the agency, then the GAL. The case manager (agency) will speak for quite a while. The GAL then speaks, and they are the most prepared with the most up-to-date information regarding the child. Too often, what the GAL is telling me is quite different from what has just been presented to the Court. I think a staffing should occur before a hearing so the Court is given accurate information.
 - b. Judge Lopez: Lack of preparation and timeliness.

- 3) When do you want our reports? What do you look for in them? How detailed do you want them?
 - a. Judge Stuzin: Not super long—2-3 pages. All reports must be filed with the court and a copy given to all parties at least 72 hours before the hearing. I prefer if the GAL program sends the GAL report to CLS, and they file everything. I read everything, which is why I prefer it to not be too long.
 - b. Judge Lopez: The more detailed the better. I want it before the hearing, and I want the truth.
 - c. A question was asked as to how Judges—who are new and are hearing cases with extensive history—learn the case and important issues. Every judge has a case manager from AOC in their division who update them on every case and can prepare detailed case-history reports.

- 4) What is your view on children attending hearings? How often? What if a child wants to speak to you privately?
 - a. Judge Lopez: I welcome the addition as long as the subject matter being discussed is appropriate and the child isn't missing school. I like to know if they are safe and happy. I bring them up to the bench and turn on the white noise so the conversation is on the record.
 - b. Judge Stuzin: I rely on the GAL to let me know if a child should be attending a hearing or wants to attend. I think it is very empowering for children over ages 6-7 to attend the hearing. I don't think really young children need to be present. We can't be alone with a child. I have them come up to the podium and just look at me and speak. If they want to speak privately, I have them approach the bench and I also turn on the white noise and have the conversation on the record. It is no longer acceptable procedure to bring a child to the back with the GAL.

- c. A question was raised as to procedure if a parent objects to the child speaking with the Judge.
 - o Judge Lopez doesn't care if the parent objects. He wants to hear what the child has to say.
 - o Judge Stuzin will address the objection and over-rule it because the child is a party and has a right to be heard. If the parent truly objects, they have the right to hear what the child is saying.
- 5) Do you want to hear from foster parents/custodians?
- a. Judge Stuzin: I love having foster parents because they have essential information about the kids. I have to know they are there! Judge Stuzin has a special place in her courtroom for foster parents to sit.
 - b. Judge Lopez: I highly encourage communication with foster parents/custodians. Everyone should be heard. I am old school. I believe in due process and giving everyone the opportunity to speak.
 - c. A recommendation was made that if the GAL knows that a foster parent/custodian is present, when GAL announces, they can also inform the Court that the foster parent is here.
 - d. **Make sure that the foster parent's names/ addresses are not on the record.**
- 6) When discussing how the children are doing or what is going on, do you want to hear from the GAL or the MBIA (GAL attorney)?
- a. Both Judges want to hear from the GAL first.
- 7) What do you recommend we do when parents are in compliance with the case plane but have not gained insight? How about if better placement/ permanency options are available?
- a. Judge Lopez: If there is no gaining of insight, we are wasting time. Same thing with more services. Insight is critical.
 - b. Judge Stuzin: It is not the GAL's job to do that. DCF is putting the case forward, and they have to explain why reunification is no longer the goal. You need evidence, not opinion.
- 8) The GAL and MBIA attorney think a child needs specific services, but the DCF attorney doesn't think it's necessary—who gets the final say?
- a. Judge Stuzin: The Judge! I will go with the GAL request if questioned. I never deny services. If you need an order, let me know.
 - b. Judge Lopez: The Judge and I order services and if the referrals aren't done, let your attorney know, and I will issue a rule to show cause.
- 9) If during the hearing something is said and the GAL needs to alert the MBIA, how do you feel about passing a note?
- a. Both Judges have no problem with that or the GAL attorney can ask the Court for a few minutes to speak with the GAL.
- 10) Do you always ask to hear from the GAL?
- a. Both Judges said yes.

11) Are there any special rules for your courtroom?

- a. Judge Stuzin: the rules for her courtroom are in the attachment above. There must be 48 hours notice w/motion to appear by phone.
- b. Judge Lopez: if you are appearing by phone, the contact # must be given to the AOC.
- c. Neither Judge objects if you must appear by phone, but they both prefer if you are able to attend in person.

12) How many last-chance case plans are sufficient? When do you consider changing the goal?

- a. Judge Stuzin: No standard rule. When I give a 3-month case plan, that reminds me that it is in fact a last-chance case plan.
- b. Judge Lopez: No hard and fast rule. I find that changing the goal gets attention.

13) What was the pivotal moment that caused you to say: Wow, I want this Court?

- a. Judge Stuzin: When I was a juror.
- b. Judge Lopez: When I felt I had enough to contribute and could afford the pay cut.

14) What should we do if the agency is lackadaisical and doesn't do anything until right before the court hearing?

- a. Judge Stuzin: Put it in the GAL report.
- b. If you are able to establish good communication with the case manager, this shouldn't be an issue. You can also staff the case with your supervisor and the agency prior to the hearing.

15) Tips/ recommendations for us to be great advocates?

- a. Judge Lopez: KISS rule (keep it short and simple).
- b. Judge Stuzin: Speak up and tell the truth.

16) How has your experience been so far?

- a. Judge Stuzin: Great
- b. Judge Lopez: I love what I do, but sometimes the decisions are very tough. I lay the best record possible.