

May 15, 2018: Judiciary & Administration

A special thanks to our panel: **Judiciary (Judge Sampedro-Iglesia, Judge Milan, and Judge Dimitris)** and our **GAL administrators (Jessica Allen and Susan Somers)**!

The theme of this meeting: **What is working? What isn't working?** and **What can we do better?** Although most of the issues were directed toward the Judges, several were for GAL administration and others for both.

- *One of the biggest issues brought up numerous times was the wait time for court hearings. Staggering the setting of cases was brought up -- as opposed to all cases being set at 9/9:30 and afternoon calendar 1/1:30). Some judges do stagger their calendar and others don't. It's up to each individual judge, but this issue will be brought up in their judges' meeting. It was suggested that when all parties are present, you let the bailiff know you are a volunteer, and they will call your case out of turn. Unfortunately, no one can control when all parties are not present.*
- *It is very disheartening (especially after waiting such a long time for a case to be called) to announce and not be recognized or even asked by the judge how the child is doing or if there is anything they need to know. This issue will also be brought up at their meeting. It was also recommended that you either let the GAL attorney know that you wish to speak or even raise a finger to let the judge know you wish to be recognized.*
- *What can we do when the GAL is present and the Best Interest Attorney speaks for the GAL? This shouldn't happen when the GAL is present. Sometimes things happen spontaneously. Ideally you will have spoken with your attorney prior to the hearing. Our attorneys know their judges and sometimes GALs have to defer to the attorney. However, if you are being shut down by an attorney, you need to let Susan Somers know!! If you send an email prior to your hearing (*with legal matter in the subject line*) requesting a call or staffing prior to your hearing and you don't get a response from your attorney, you need to let Susan know that as well.*
- *Is there any way to have uniform procedural policies between courtrooms? Different attorneys set their own procedures in response to how each judge runs their own division. Uniform procedural policies most likely won't take place because every judge has their own personality and that is reflected in each division.*
- *The next 4 questions were grouped together since they **all related to older youth**.*
 - o *Many judges do not calendar 17.3 JRs for their children. This leads to the agency dropping the ball on Independent Living (IL) staffings and services.*
 - o *How can we hold the agency and foster parents more accountable for *preparing our children to age out?* Some services are supposed to begin at 13, but it seems we don't really begin until age 17.*
 - o *How can we have the Bench help kids be accountable for their own actions? *Many kids know how to "play the system."**
 - o *Many of our kids run right back to their parents once they age out, and we turn a blind eye to this outcome.*

- A protocol is being worked on with the agencies to address the aging out issue. If you know you have a child who is approaching age 17.3, please bring it up in court so the clerk can calendar it. If there are issues and you don't speak up, you aren't advocating for your child. Be proponents and advocates for your cases. Aging out services and resources are not just the agency's responsibility. If you know a child needs something or needs assistance, find a resource, tell the Judge, staff your case. You can ask for an AAL (attorney ad litem) to be appointed to help your child negotiate a lease, etc.
- *What should we do when there is an AAL on the case who hasn't seen the child in over a year or attended court?*
Tell the Judge and don't wait a year.
- *What can we do about the current immigration issues?*
Some children w/SIJ status are being picked up and home studies are conducted on people who are undocumented. This delays permanency and can be heartbreaking for a child who has developed a bond with that caregiver. If a child is in a home where adoption is not a realistic possibility, the placement needs to be changed. If there are children's immigration issues, we work with AIJ and Catholic Charities.
- *Annual med reviews are not done in all courtrooms.* A medical affidavit helps with oversight to ensure that dosage is appropriate for height, weight, and medical condition of the child. The Court assumes that since the child is seeing a psychiatrist monthly, that they will adjust the meds as necessary. If you feel there is a problem with a child's meds, bring it to the attention of the Court.
- *What do you suggest we do with agency/case managers who are nonresponsive.*
Judges don't want to deal with this in Court. It is a systematic issue and needs to be dealt with by the program/agency's administration. If you have documentation of efforts made with no response and it directly relates to services, etc., bring supporting evidence to court. Critical information must be shared. Don't rely on the case manager if they are unresponsive -- get it yourself.
- *What can we do for children with substance abuse issues?*
We often ask for boot camp but are told we can't get an order for that. Unfortunately, judges don't have an answer. There aren't boot camps or services like that available for dependency court. If you find any, the Judges would be interested in knowing about those services.
- *What do you want GALs to do for children that are out of the county or state?*
Have good communication with the visiting or courtesy GAL and face-time your kids. We have an out-of-circuit division in the GAL program.
- *What do you recommend we do when we disagree with our supervisors or attorneys about our cases?*
Escalate the issue to Susan Somers and Jessica Allen for a staffing. If it is an issue of fact, they will defer to the GAL; if it is an issue of law, they will defer to Susan.

- *Too often homestudies are not being done by the agency assigned but by the CPI when the case first comes in.*
As cases get ready to close and an updated homestudy is required, issues arise which can prevent adoption. All homestudies are now supposed to be uniform, and they should all be an adoption-quality home study.
- *Where should issues with foster parents be reported to if Our Kids has been unresponsive?*
Call the hot line. You are mandatory reporters. You can staff with the GAL attorney and set the case for Modification of Placement (MOP). Licensing can be dealt with later. Child safety and well-being is the priority.
- *When does a case get sent to mediation?*
When requested! Most cases should go to mediation.
- *Why does the child always have to be transported to the agency for supervised visits instead of the parent/agency visiting the child?*
Sometimes the caregiver doesn't want the parent in the home. Sometimes the parent is ordered to travel, and in cases where the child is being transported, the visit should be confirmed 24 hours prior to the visit. There is a work group looking at the formation/creation of visitation centers.
- Most Judges do give serious consideration to GAL recommendations.
- Some things are not optimally working: (1) Optima; (2) when people focus more on the parents than the child; (3) GAL wait time in court; (4) Judges not taking time to acknowledge the GAL.