

Family-Friendly Courts

Too often, going to court is a frightening and confusing experience for children and families. People sit for hours in crowded hallways, trying to entertain their children and calm their own nerves. Attorneys and social workers meet with families wherever space is available—the hallway, outside of the courtroom—rarely in private and almost never comfortably. Children squirm and cry, bored and frustrated and probably scared.

The situation rarely improves when families enter the courtroom. There is nowhere for children to go while cases are being heard; sometimes they get handed off to people they've never met. In the courtroom, the issues being discussed and decisions being made are often lost in a haze of legalese. Parents leave without court orders and often without a clear understanding of what is expected of them. Is it any wonder that parents are frustrated by the system, and that children dread going to court?

Through court improvement projects, courts are working to make the experience of going to court a more positive one for children and families. Courts are providing child-friendly waiting rooms with toys and books, and day care centers where children can wait while parents are in court.

Judges are explaining the court process and the consequences of the parents' actions in plain language, so parents understand what is expected of them when they leave the courthouse. And when hearings are finished, judges are providing parties with forms that clearly outline everyone's responsibilities in a way that is easy to comprehend.

Finally, courts are providing information about the process to parents in a variety of creative ways: through pamphlets, resource folders, kiosks, videos, and parent mentors.

All of these steps are designed to make the court process less frustrating, less frightening, and more accessible for children and families.

Improving Court Performance *for abused and neglected children*

Every day, courts make decisions vital to the lives of abused and neglected children. Courts decide which children will enter the foster care system, which children will return home, which children will be freed for adoption—all decisions that profoundly affect whether or not these children will be safe and have permanent homes and families.

Most judges are committed to working hard to make these critical decisions and to serve the best interests of children, but there are, nonetheless, a number of challenges:

- ❖ Children's court cases (both abuse/neglect and juvenile justice) operate under strict and very limited time frames. Judges who specialize in these cases often struggle to balance their caseloads and meet these deadlines.
- ❖ Judges who have general jurisdiction caseloads may be less familiar with the special issues and time limitations involved in children's cases, and these cases may take a lower priority to criminal and certain high profile civil cases.
- ❖ Under certain circumstances, child welfare agencies and attorneys may be permitted to reschedule cases at later dates.
- ❖ Even when cases are heard within the required time limits, some judges may not make decisions and issue orders in a timely manner.

When cases are delayed, children spend needless time in foster care, which reduces their chances of returning home to their families when appropriate, or being adopted if they can't return home.

The Court Improvement Project

State court improvement projects are part of a federally funded initiative to improve the quality and timeliness of the court's processing of abuse and neglect cases. These projects address delay and other problems in courts serving abused and neglected children. Court improvement projects are working to:

- ❖ eliminate unnecessary delays by developing strategies to reduce judges' caseloads (including hiring additional judges),
- ❖ ensure more time is set aside for hearings,
- ❖ reduce the number of continuances, and
- ❖ increase the timeliness of judicial decisions and orders—even having them issued on the day of the hearing.

Delay is only one issue the court improvement projects are tackling. Courts throughout the country are working to improve the quality of representation being provided to parents and children. They are developing alternative methods to settle abuse and neglect cases, involving mediation, extended family, and support from community organizations. They are creating spaces that are child friendly and conducive to settling difficult issues. They are developing and providing information for parties via pamphlets, resource folders, kiosks, videos and parent mentors. They are providing and participating in training and education for attorneys, social workers, foster parents, advocates, and others. And, courts are convening community collaborations to work together to improve the child abuse and neglect system.

The Court Needs Your Help

Community support is crucial for the long-term success of court improvement. Individuals, local organizations and businesses all have skills and ideas to contribute to improve the courts that serve children and families.

How can you get involved?

- ❖ Become a foster/adoptive parent.
- ❖ Donate your children's old toys for a "kids room" in the courthouse.
- ❖ Volunteer as a Court Appointed Special Advocate (CASA) for a child.
- ❖ Join your local foster care review board.
- ❖ Lobby your state legislature for increased funding for courts, child welfare agencies, and attorneys serving children and families.
- ❖ Paint a room that will serve as a meeting space for attorneys, parents and children.
- ❖ Ask your employer to donate time/goods to court improvement.
- ❖ Help court improvement projects connect to foundations and other funders.
- ❖ Speak to groups in your community about court improvement and the child welfare system.
- ❖ Encourage your local newspaper to run articles about successes in the court improvement program.
- ❖ Join (or establish) a community collaborative designed to work together to address problems affecting children and families.

For more information about how you can become involved in court improvement, call your local court improvement project:

Who Speaks for This Child?

Courts throughout the country are also working to improve the quality of representation being provided to parents and children.

Representation can be a problem because:

- ❖ Often, attorneys working on child abuse and neglect cases have little or not training in family law and issues related to child abuse and neglect.
- ❖ Sometimes attorneys have too many cases and not enough time to do the best job on each case.
- ❖ Typically, attorneys are not paid well for working with children, which means that they may have to take lots of other cases, which takes time away from their child abuse cases.

When attorneys can't do a good job, children and families suffer. Judges don't get all of the information they need to make their decisions, children stay in the system longer, and parents don't get a fair chance to explain their side of the story to judges.

To improve representation, courts are holding attorneys to high ethical standards and requiring them to perform certain actions in each and every case. Increasingly, attorneys who represent children and families are receiving mandatory training before they can take these cases. In some courts, to ensure each case gets the attention it deserves, attorneys are being permitted to take only a certain number of cases. And to ensure that attorneys who want to can afford to work on behalf of families and children, courts are working to see that attorneys receive adequate compensation.