

Court

Background Notes

Child welfare spends a great deal of time in the legal arena. Preparation prior to court is key to feeling confident, presenting yourself well and having successful outcomes. The judicial systems in which child welfare staff find themselves generally include juvenile and criminal court. DHS policy [I-1.3 \(Court Reports\)](#) describes the documentation required for court purposes. Particularly important in court work is etiquette regarding who presents the case, who talks and when. Child welfare workers are at a disadvantage in the legal arena not having been prepared to think and act in a legalistic manner. Observing staff that are highly regarded by both judges and lawyers is helpful in becoming confident and competent as well as creating more successful outcomes in your casework.

Tasks / Assignments:

- Find out your office's procedure for providing copies of case materials to attorneys (Discovery).
- Attend the following type hearings: Shelter, adjudicative, jurisdictional, dispositional, annual permanency review hearing, a review in which the children are being reunified with their parents and a termination of parental rights hearing. Talk with your supervisor about the requirements for each of those hearings including paperwork, information to be shared, and process and the caseworker's role in testimony.
- Ask your supervisor who represents DHS in court.
- Attend the Confidentiality NetLink.

Discoveries:

- *What is the difference in the paperwork required for the various hearings?*
- *Who in your office copies materials for court/attorneys?*
- *What is the preparation involved for each type hearing?*
- *Who leads the presentation in the various types of court hearings?*
- *When will you have a lawyer representing DHS' position in the case?*

