

WHAT NOT TO SAY: COMMUNICATING EFFECTIVELY WITH TEENS

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SO, WHAT'S THE BIG DEAL?



Why engaging youth in CRB
reviews is important...

WHAT'S THE BIG DEAL? WHY ENGAGING YOUTH IN CRB REVIEWS IS IMPORTANT

- Sense of Control
- Understanding the Process
- Better Information



SENSE OF CONTROL

“All I ever wanted
was to be heard
and not just
dismissed...”

–Youth in foster care



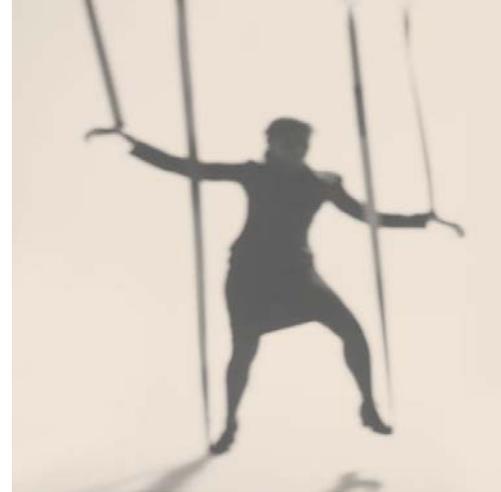
SENSE OF CONTROL

“Youth are the first to remind us that they have lived through these issues. As long as they are prepared for the hearing, discussions in court will not cause them additional trauma or harm. Moreover, excluding youth from court can be equally (if not more) upsetting, by stripping youth of the opportunity to come to terms with their past and move on and by precluding youth from having a sense of involvement in and control over planning their future.”

---Andrea Khoury, ABA Center on Children and the Law



SENSE OF CONTROL

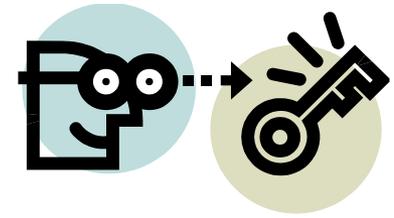


- Attending court hearings and CRB reviews allows the youth to have a sense that the adult decision makers have listened to him or her.
 - **“Many a man would rather you heard his story than granted his request.”**

— Phillip Stanhope
Earl of Chesterfield



UNDERSTANDING THE PROCESS



- **Youth may not fully understand what is happening without seeing it firsthand.**
 - **When youth attend court hearings and CRB reviews, they can ask questions about what is happening, they hear what DHS is saying about their home, school, visitation with parents, etc.**
 - **They hear what their parent(s) say about their progress.**
 - **They are better able to understand the judge's orders and the recommendations of the CRB.**



BETTER INFORMATION

- Hearing directly from the youth offers a valuable perspective that you won't get from reading reports or getting the information second hand.
 - *“The presence of children in court proceedings that affect them is invaluable, even when they are too young to express themselves. The child’s presence alone can give a face to what would otherwise be simply words on paper. **Nothing can substitute for personally observing and engaging a child.**”*

-Judge William G. Jones (ret)



BETTER INFORMATION

- **The case materials will address many of the issues in a case; however, the youth's presence makes the case more real and more vivid.**
- “Realize that what is written ...on paper is not who they are in person. Each youth has their own personality and their own style, which is impossible to capture in words.” --Oregon Foster Youth Connection



OK, SO NOW THAT I KNOW
THAT IT'S IMPORTANT TO
INVOLVE YOUTH IN THEIR
CRB REVIEWS, HOW DO I
DO IT?



Let's start at the very beginning...a
very good place to start!

BEFORE THE REVIEW



Take time to prepare for a youth's involvement in the CRB.

- As board members, you are not as intimately involved with the youth as DHS or the CASA; therefore, it is important to get as much information in advance about the youth, their placement, school progress, health issues, relationship with their family, and other issues that develop.



BEFORE THE REVIEW

- Read the reports highlighting the youth's strengths and weaknesses.
 - Has the youth increased his grade in math as previously promised?
- Review previous court orders and CRB Findings and Recommendations for outstanding issues.
 - Is the youth happy with the new visitation plan ordered by the Court?



BEFORE THE REVIEW

- *“If you have to write little notes down to remember, do what you need to do, but don’t fake it – youth in foster care will know if you fake it and they will close up.”*

--Oregon Foster Youth Connection



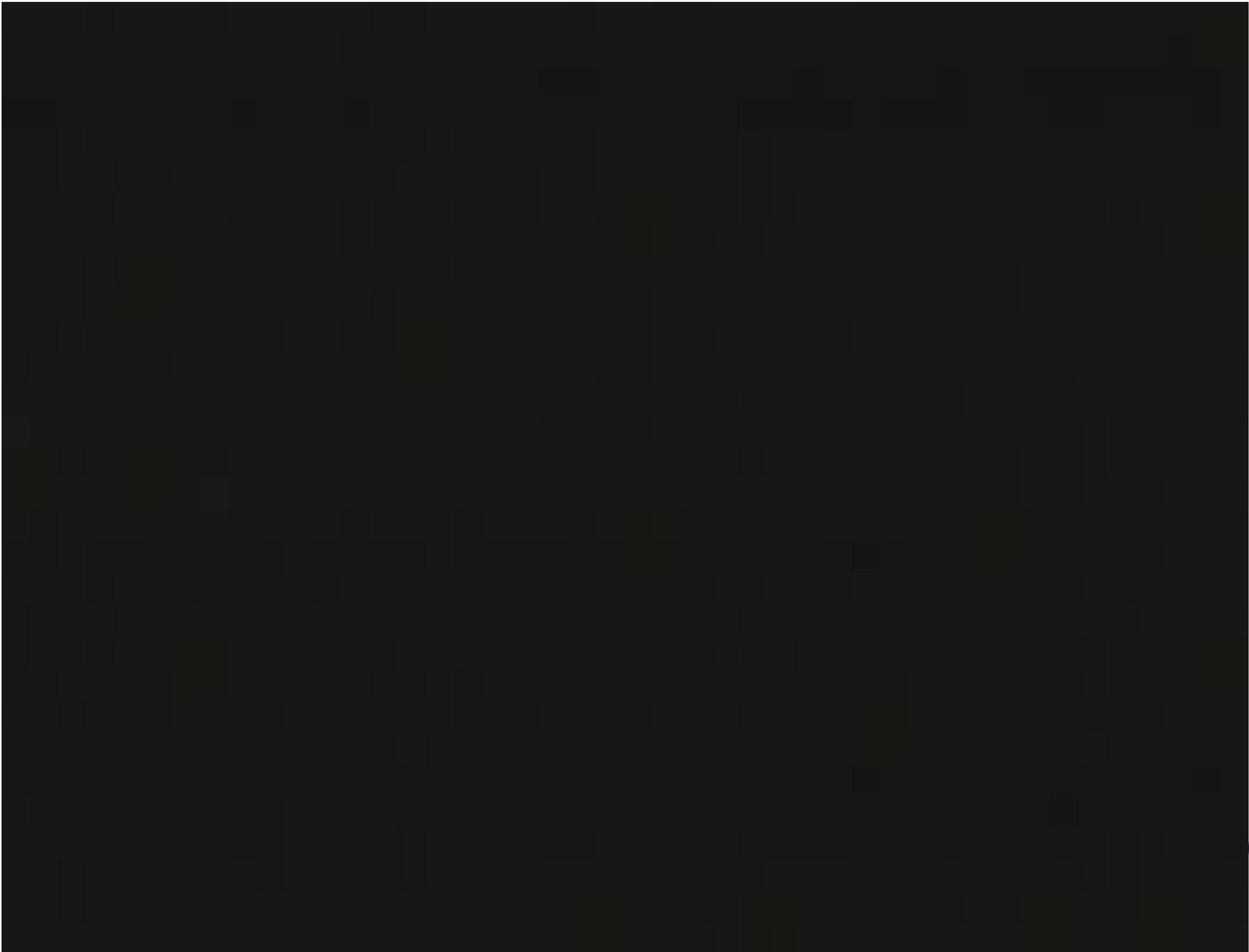
BEFORE THE REVIEW

- **When prepping your cases, think about the words you will use when engaging the youth in the review.**

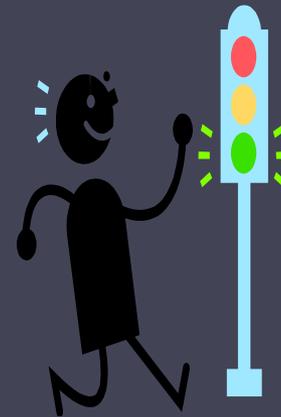


- **Consider the following:**
 - Age of the youth
 - Developmental level
 - Cultural background
 - Verbal ability
- **Use care to match appropriate language to these factors.**





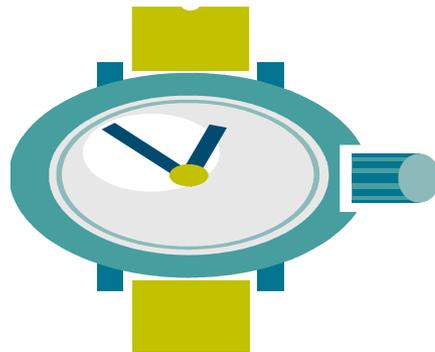
YOUR CASES ARE PREPPED
AND YOU'RE READY TO START
THE REVIEW...



Let's first consider what **NOT** to do...

AT THE REVIEW: WHAT NOT TO DO.

- Don't talk more than you listen.
 - “Many attempts to communicate are nullified by saying too much.” --Robert Greenleaf
 - Be cautious about appearing as if you don't have enough time to really listen.



AT THE REVIEW: WHAT NOT TO DO.

- Don't accentuate the negative.



- Instead of dwelling on the negative, communicate in a way that lets the youth know that you genuinely care and that your purpose is to hear what they have to say.
- *“Be a good listener. Your ears will never get you in trouble.”* --Frank Tyger



AT THE REVIEW: WHAT NOT TO DO.



- Don't ask repetitive questions.
- *"There are people who, instead of listening to what is being said to them, are already listening to what they are going to say themselves."*

— Albert Guinon



AT THE REVIEW: WHAT NOT TO DO.

- *“Do not ask the same questions over and over signaling that you have not reviewed the case.”*

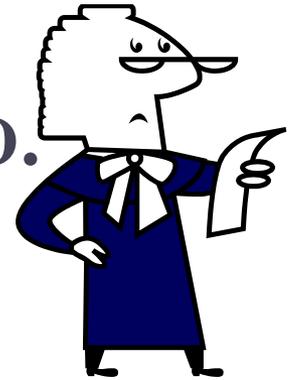
--Andrea Khoury



- **The horse is dead already...leave him alone!**



AT THE REVIEW: WHAT NOT TO DO.



- Don't be judgmental.

- Avoid “*you*” statements, such as “*You really need to...*”
 - Avoid loaded questions that will put the youth of the defensive.
- Instead of being judgmental, we need to transform our thoughts and get to the youth’s level of feeling in order to successfully relate and talk to the youth.



AT THE REVIEW: WHAT NOT TO DO.

- Don't minimize the youth's experiences.



- When adults try to put their perspective on a problem, the youth is likely to feel that “*you don't get me*” or “*you're not taking me seriously*” or “*you don't think this is important, therefore I'm not important.*”

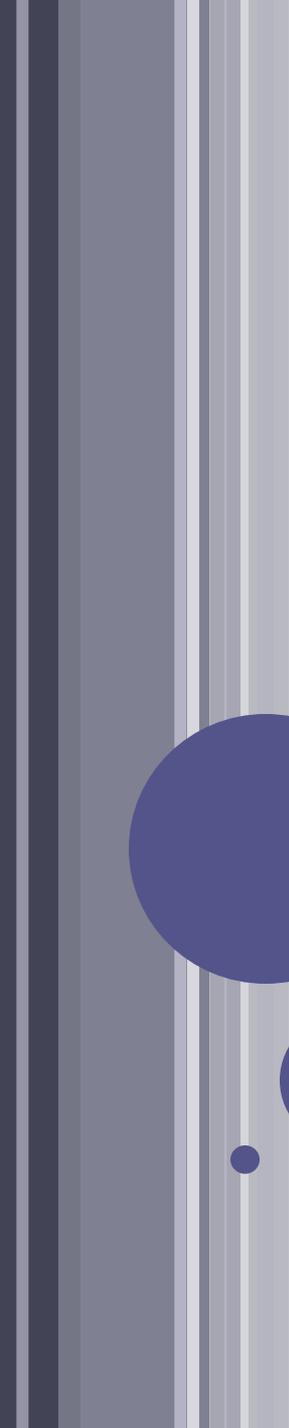


AT THE REVIEW: WHAT NOT TO DO.

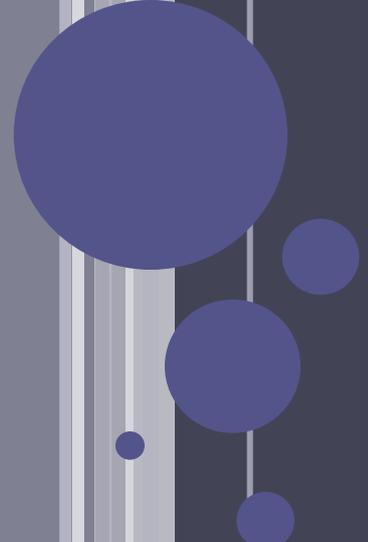
- Don't fight battles that don't need fighting.
 - “*Fine*” is the word used to end an argument when the other person knows they are right and need you to stop talking.
 - Avoid escalating tensions over issues that aren't worth it!
 - “*Just because I didn't do what you told me, doesn't mean I wasn't listening to you!*”

— Hank Ketcham





Please



WHATEVER YOU DO,
PLEASE DON'T ASK...

TOP QUESTIONS FIELD STAFF BEG YOU NOT TO ASK



- “Sally, are you sexually active with your boyfriend?”
- “Mr. Caseworker, is Sally on birth control? I read in the Case Plan that she has a boyfriend.”
- “Jimmy, I know your parents are here at the review with you. If they make progress do you want to go home?”



TOP QUESTIONS FIELD STAFF BEG YOU NOT TO ASK



- **“Bobby, you seem to be moody today. Have you been evaluated for bi-polar medication? I hear Abilify can be effective.”**
- **“Mikey, are you in PCIT and EMDR for your PTSD? Are you also doing FSAT?”**
- **“Have you had an eye examination? My granddaughter has migraines too and at the encouragement of my son, she had her eyes tested and it was later discovered she just needed glasses.”**



TOP QUESTIONS FIELD STAFF BEG YOU NOT TO ASK



- **“I hear that you are an ICWA case? Do you spend much time on the rez? Isn’t there a lot of drinking and crime up there?”**
- **“Are you in ILP? Have you done your T1 and T2?”**
- **“Where do you live? Are you still in that run-down trailer park on Grant Street? I hear there is a lot of drug dealing that goes on there. Isn’t your foster home a nicer place to live?”**

TOP QUESTIONS FIELD STAFF BEG YOU NOT TO ASK



- “Ali, I read in the Case Plan that you haven’t visited your mother (who is at the CRB review) since you have been in foster care, do you not want to visit your mom? Why or why not?”
- “Your dad is a registered sex offender. Why would you want to live with him?”
- “I read in the CASA report that you are questioning your sexual identity. Have you decided yet?”



ENOUGH OF THE NEGATIVE...



Now let's talk about effective ways to
engage youth in the CRB review!

AT THE REVIEW: WHAT TO DO TO ENGAGE YOUTH

- Put simply...If the goal of the child welfare system is to do what is in the best interests of the child, **the child should have input.**



AT THE REVIEW: WHAT TO DO TO ENGAGE YOUTH

- If the youth is present, have the youth introduce himself or herself.

OR

- If the youth is not present, inquire as to why the youth is not present.
- Confirm the youth's absence is not due to failure to provide the youth with timely notice or transportation.
- Make recommendations to encourage resolution of reasons for non-attendance.



AT THE REVIEW: WHAT **TO DO** TO ENGAGE YOUTH



- Welcome the youth, clearly state purpose of the CRB review and familiarize them with the findings.
- Ensure that all youth know that they are able to be accompanied by a support person at the review such as the foster parent, friend, CASA, or another adult.
- Don't forget about youth who might be participating in the CRB by telephone!



AT THE REVIEW: WHAT **TO DO** TO ENGAGE YOUTH



- Listen non-judgmentally (and listen more than you speak).
 - *“You are the one who makes the decisions, and I need to be heard so people may understand how I feel or what I need. Listen to me, since no one else will, and try to understand where I’m coming from. Maybe I am a child, but I’m not dumb; I know right from wrong. I need to know that you will make the right decisions for me, so that I can live life the way it’s supposed to be.”*
- "The most basic of all human needs is the need to understand and be understood. The best way to understand people is to listen to them."

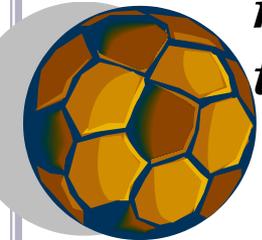
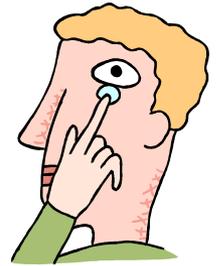
— Foster youth quoted in *My Voice, My Life, My Future*

— Ralph Nichols



AT THE REVIEW: WHAT TO DO TO ENGAGE YOUTH

- Address the youth directly using a supportive voice and making eye contact.
 - *“How old are you?”*
 - *“What is your best friend’s name?”*
- Connect with the youth by learning what they like and/or dislike and commenting on it.
 - *“Highlight a child’s positive accomplishments first, like congratulating her on how well she is doing in school or how well she is adjusting to a new foster home before delving into any issues that may cause some anxiety.”* --Andrea Khoury



AT THE REVIEW: WHAT TO DO TO ENGAGE YOUTH



o Pay attention

- “Simply saying, *‘I care about you and your future’* won’t work; the youth will never believe you.”
—Oregon Foster Youth Connection

- “*Mention things from the previous hearing (based on your notes) that will make the child feel special.*”

--Andrea Khoury

- **Spend more time focusing on the youth, making eye contact, and listening** rather than shuffling through your notes or focusing on your computer.

- “The most precious gift we can offer anyone is our attention.”

--Thich Nhat Hanh



AT THE REVIEW: WHAT **TO DO** TO ENGAGE YOUTH

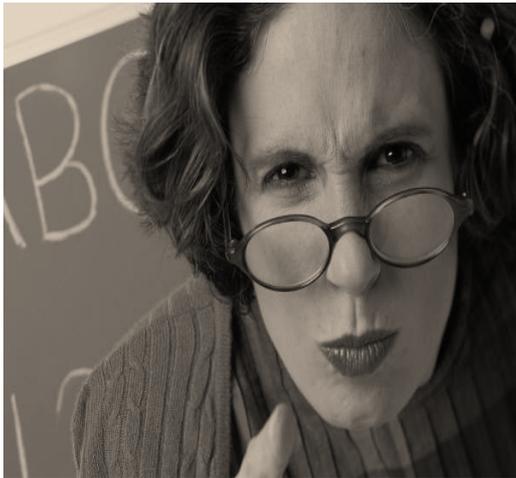
- Listen with your eyes and pay attention to non-verbal cues.

- One study at UCLA indicated that up to 93 percent of communication effectiveness is determined by nonverbal cues.

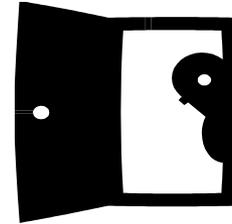
- Nonverbal communication ranges from facial expression to body language. Gestures, signs, and use of space are also important in nonverbal communication.

- When leading a review, recognize that nonverbal cues can tell you:

- when you've talked long enough,
- when someone else wants to speak, and
- the mood of the parties and their reaction to your remarks.



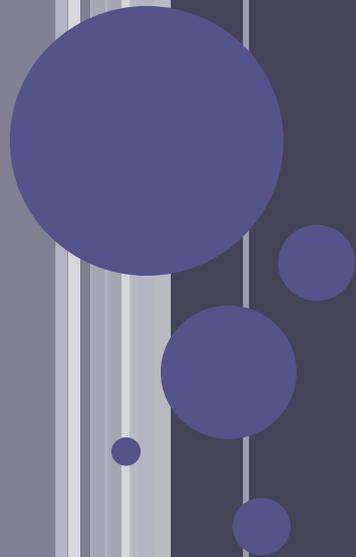
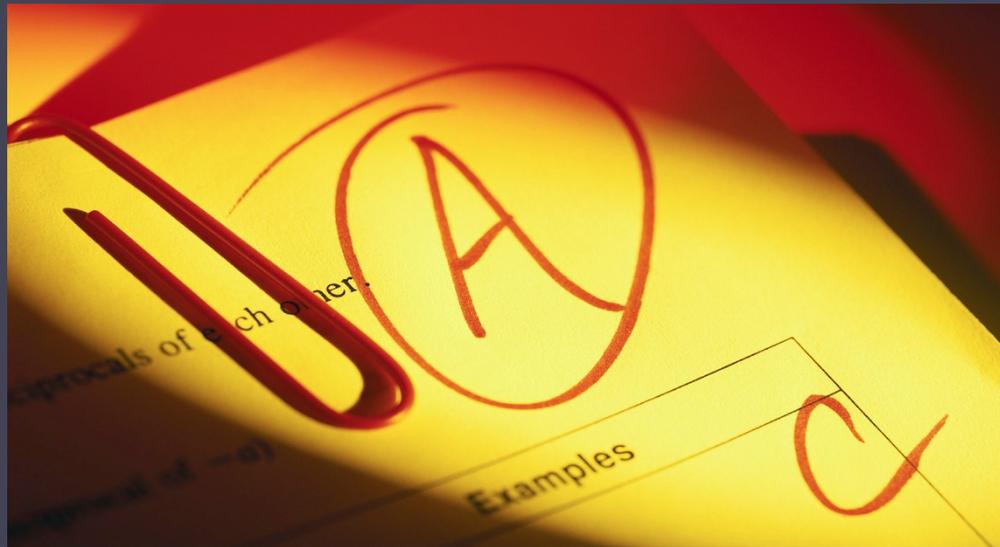
AT THE REVIEW: WHAT TO DO TO ENGAGE YOUTH



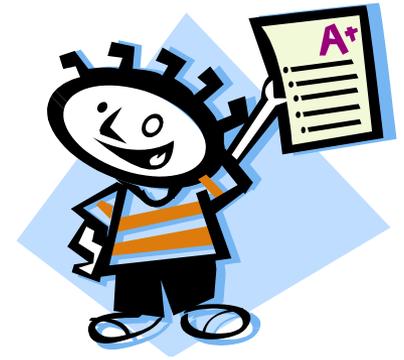
- **Keep questions short and simple.**
 - *“Be careful in how you phrase questions to the youth. Complicated questions are intimidating and will most likely generate a rushed answer in the interest of bolting out of the courtroom ASAP.”*
 - Oregon Foster Youth Connection
- **Ask open-ended questions.**
 - Asking questions that require more than a “yes” or “no” answer helps the youth think through ideas and options.
- **Engage youth with non-threatening questions.**
 - Possible questions might include: *“If you had three wishes, what would they be?”* or *“If you could change places with anyone in the world for a day, who would you choose and why?”*
 - Be respectful when asking questions.



QUIZ TIME!!!



AT THE REVIEW: WHAT TO DO TO ENGAGE YOUTH



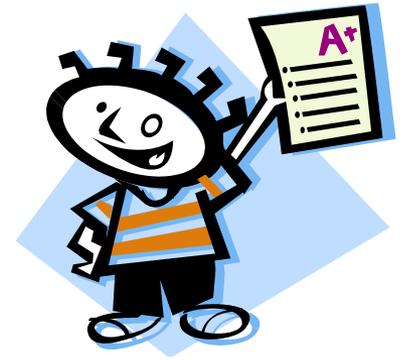
○ POP QUIZ!

○ 1.) Which of the following words does not mean wonderful or fantastic?

- A. Dope
- B. Tool
- C. Tight



AT THE REVIEW: WHAT TO DO TO ENGAGE YOUTH



○ POP QUIZ!

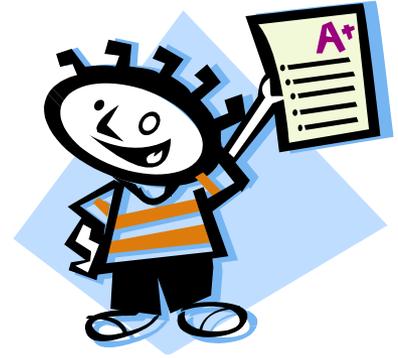
○ 2.) At the review, the youth says, “*You got me bent! Y’all shouldn’t be puttin’ me on blast!*”
What does he mean?

- A. He is happy that you understand him but wishes he didn’t have to talk to you with his foster parent present.
- B. He is scared of going home.
- C. He thinks you have the wrong impression and is upset that you have raised your voice and tried to shame him.



AT THE REVIEW: WHAT TO DO TO ENGAGE YOUTH

○ POP QUIZ!

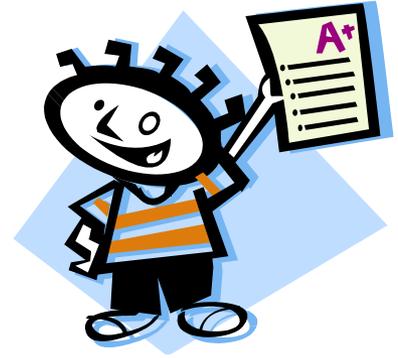


- 3.) When you ask the youth what type of contact she has with her case worker, she says, “*She always be blowin’ up my phone so yeah, we chop it up.*” What does she mean?
 - A. The case worker took away her phone and cut it up with a knife.
 - B. The case worker calls often and they converse.
 - C. The case worker never calls which causes conflict when they do see each other.



AT THE REVIEW: WHAT TO DO TO ENGAGE YOUTH

○ POP QUIZ!

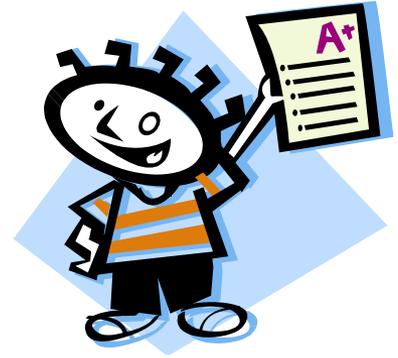


- 4.) You ask the youth if they are ready to transition out of care and he responds, “*Yo, I got a job and lots of dead presidents but I ain’t doin’ laundry with my girlfriend ‘cuz we ain’t ready for dat!*” What does he mean?
 - A. I have a job where I am earning money, but I’m not having sex with my girlfriend.
 - B. I have a job as a presidential assassin, but I don’t have time to wash my clothes.
 - C. I have a job at the morgue but I don’t have to wash clothes.



AT THE REVIEW: WHAT TO DO TO ENGAGE YOUTH

○ POP QUIZ!



- 5.) As the youth leaves, she turns to you and says, “*This was really sick but I gotta’ bounce!*” What does she mean?
 - A. I’m not feeling well and think I may vomit.
 - B. This was a really good review but I have to leave.
 - C. This was a terrible experience and I’d rather have jumped off a building than attended.



AT THE REVIEW: WHAT TO DO TO ENGAGE YOUTH

- *“Even young children have the competence to tell adults what they know when they are questioned in age-appropriate ways. Until children have fully developed linguistic skills, the responsibility for getting at what children know rests squarely on the adult, and in particular, on the language of the question, and not on the language of the answer.”* —Anne Graffam Walker, Forensic Linguist



AT THE REVIEW: WHAT TO DO TO ENGAGE YOUTH



Use Proper Language/Speak their language:

- “Sometimes the questions are complicated and the answers are simple.”

--Dr. Seuss



AT THE REVIEW: WHAT TO DO TO ENGAGE YOUTH

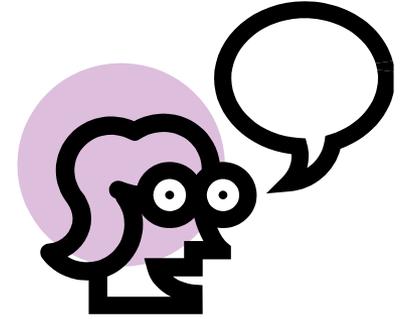


Use Proper Language/Speak their language:

- **Refrain from using pronouns.**
 - “*What did Jane do?*” instead of “*What did she do?*”
- **Refrain from using acronyms.**
 - Avoid using terms such as ICWA, APPLA, ILP, IEP, ASFA, etc.
 - Consider providing an age-appropriate list of some legal terms and definitions that may be used during the review.
- **Refrain from abstract terms; instead use concrete nouns and verbs.**
 - Use words like “*in the back yard*” instead of “*area.*”



AT THE REVIEW: WHAT TO DO TO ENGAGE YOUTH



Use Proper Language/Speak their language:

- **Avoid abstract questions.**
 - “*How well do you get along with your family?*”
- **Recognize that youth may respond to questions literally.**
 - Q: “Are you in school?”
 - A: “No.”
 - The youth may be referring to where they are right now which is at the CRB.
- **Be alert for miscommunication.**
 - Ask follow up questions to ensure that you and the youth are talking about the same topic.



AT THE REVIEW: WHAT TO DO TO ENGAGE YOUTH

Use Proper Language/Speak their language:

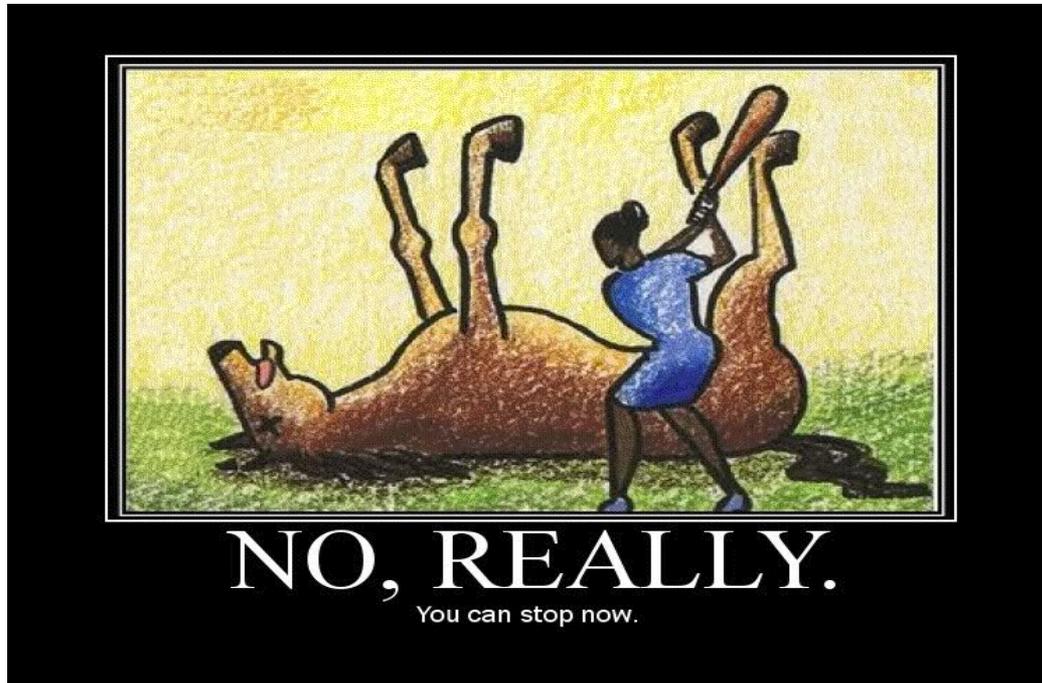
- **Avoid “*why*” questions.**
 - “*Why?*” questions tend to put people on the defensive.
 - **Try to rephrase your questions to get at what the youth was thinking rather than the reason for something the youth has said or done.**
 - For example, instead of asking, “*Why did you say that?*” you might try: “*You seemed to be really trying to get across a point when you did that. Can you tell me more about what you meant?*”



AT THE REVIEW: WHAT TO DO TO ENGAGE YOUTH

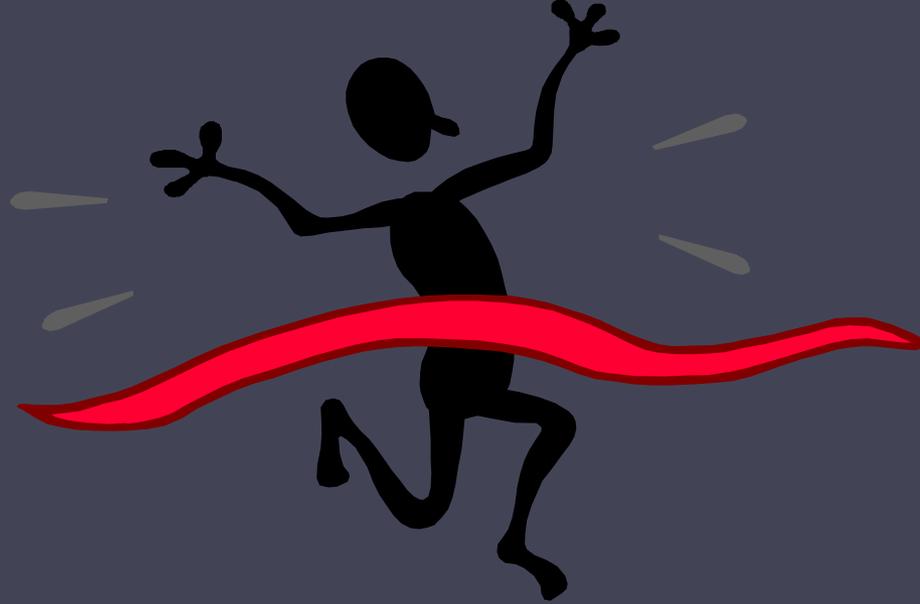
Use Proper Language/Speak their language:

- Avoid “*why*” questions (continued).
 - Remember you are conducting a review, not a counseling session or Family Decision Meeting.



- Again, please leave that poor dead horse alone!





**WHEW...YOU'RE ALMOST
DONE...**

**Things to remember when closing the
review.**

CLOSING THE REVIEW



Before ending the review, take time to engage the youth and ensure that his/her participation has been meaningful.

- Ask the youth what he/she wants to accomplish before the next CRB review.
- Ask the youth whether he/she has any last questions, thoughts or concerns.
- Ensure the youth understands the reasoning for the findings and recommendations made by the CRB.



CLOSING THE REVIEW



- **Encourage the youth to attend the next CRB review.**
- **Invite the youth to submit report cards, letters, or other personal items prior to the next review to signal interest and concern.**
- **Thank the youth for coming to the CRB and reward even the smallest attempt at participation.**





A FEW FINAL THOUGHTS...

FINAL THOUGHTS ON WHAT **NOT** TO DO.

- If you are speaking more words than you are hearing, **STOP AND LISTEN.**
- If you know that your question is a “*want to know*” rather than a “*need to know*” question, **DON'T ASK IT!**



FINAL THOUGHTS ON WHAT **NOT** TO DO.

- If it's a question that would make you uncomfortable, **DON'T ASK IT.**
- If you have to say, "*I know my field manager/review specialist isn't going to like this, but...*" **DON'T ASK IT.**



FINAL, FINAL THOUGHTS...

- Thank you for all of your hard work and effort on behalf of some of Oregon's most vulnerable citizens!
- **“You're off to Great Places! Today is your day! Your mountain is waiting, So...get on your way!”**

--Dr. Seuss



CONCLUSION

○ For further information:

- Seen and Heard: Involving Children in Dependency Court, Andrea Khoury
- With Me, Not Without Me: How to Involve Children in Court
- Oregon Foster Youth Connection Memo, 8/17/09
- Engaging Older Adolescents in the Courtroom
Judicial Bench Card



Every day counts...
in the life of a foster child!



What Not To Say: Communicating Effectively With Teens

Scenarios/Group Discussion

Directions: Read each scenario and answer the following questions based on the information provided. Each scenario will be discussed as a large group with feedback from the youth panel.

1. What do you think are the major issues?

2. What would the youth think are the major issues?

3. What would be inappropriate to discuss at the review?

4. What strategies would you employ to engage the youth during the review?

Scenario #1

Samantha's permanency plan is Another Planned Permanent Living Arrangement (APPLA)-Independence. This is the sixth CRB Review. She has resided in her relative foster home one year. Her provider is her 30 year old half-sister. The half-sister's boyfriend and his 3 year old son also reside in the home. Samantha was removed from her mother's care due to physical abuse by the mother's boyfriend. The mother failed to protect Samantha and continues to live with the perpetrator. Samantha and her mother have an amicable relationship.

Samantha, age 16 ½, was on the run for a three week period. Law enforcement contacted DHS after apprehending Samantha for shoplifting. She was also found in possession of marijuana. Samantha called the caseworker once while on the run and indicated that she was staying with random people she had met. Samantha returned from the run on 04/12/12 and was placed back with her half-sister. She indicated that she ran because of the rules being imposed by her half-sister's boyfriend. She was mad at him and needed a break, so she left.

Samantha appears a lot older than her chronological age. She is easily infatuated and has had a lot of boyfriends, although not a steady relationship. She has not developed a positive reputation for herself. Samantha is open about being sexually active. She is seen at Planned Parenthood.

Since her return, Samantha has stepped up in terms of regularly attending school. She recently requested to change schools so she can have a new peer group. She has reported not using marijuana; however, the foster mother found a pipe in Samantha's school bag. Samantha joined a hip hop dance class. She is creative. Her art is on display in the school gallery and she received an award in a recent juried show.

Samantha seems to genuinely be trying to make improvements in her life and change her image. While she has made progress, she has also taken some steps back.

Samantha wants to continue residing with her half-sister until she graduates from high school. The half-sister's boyfriend and his son have moved out of the home. Post-graduation, Samantha would like to attend cosmetology school and work part-time.

At the review, the following parties are present: Samantha; the caseworker; the attorney for Samantha; the mother; and the relative foster mother (Samantha's sister).

Samantha sits back in her chair with her arms folded. She has a smirk on her face and acts like she has more important places to be. At times she is loud and rude. She is preoccupied with her cell phone and texting during the review.

Scenario #2

Michael's permanency plan is Another Planned Permanent Living Arrangement (APPLA). This is the tenth CRB Review. The whereabouts of the mother are unknown. The father is not involved in the case.

Michael, age 13, entered the SAFE Center on 01/12/12. Previously, he resided in his designated permanent foster care placement. He has had at least 13 placements.

Michael has been struggling during this review period. The previous foster parents worked very hard to maintain Michael in their home; however, he began to regress and posed a safety risk to himself and the others residing in the home. The previous foster parents are committed to remaining in Michael's life and being a support for him. They are actively involved in his treatment plan. Michael has been diagnosed with the following: Reactive Attachment Disorder; PTSD; Oppositional Defiant Disorder; and Sexual Abuse of Child.

Michael has a history of exhibiting severe sexualized acting out and defiant and oppositional behaviors. He requires line-of-sight supervision. He cannot be alone around other children. Michael can be manipulative and covert. He is beginning to confront the abuse he has endured. He has also acknowledged his negative behavior and has been able to discuss incidents.

The therapist has reported that Michael is displaying some minor behavioral issues, such as sneakiness, but is able to be redirected. He can be bossy. Thus far, Michael is responding to the efforts of SAFE Center staff; however, it has been reported that he usually ends his "honeymoon" after six months. Michael has wanted to talk about his past and his biological parents. Michael's therapist is not convinced that Michael is really putting forth a lot of effort in therapy, but he is bringing up issues, which is a big step. Michael is a good writer and has been sharing his poetry with his peers.

At the review, the following parties are present: Michael, via phone; SAFE Center treatment provider, via phone; the previous foster mother; the caseworker; the attorney for the mother; and the attorney for Michael.

At the review, Michael asks where his mother is and if he can see her. He mentions that he has a relative that resides in Springfield, OR. Michael is very emotional and anxious about where he will be living. It is not likely that he will return to his previous foster home upon discharge from the SAFE Center; however, he does not know this.

Michael is somewhat soft spoken when he introduces himself over the phone. He sounds sad.

Scenario #3

Amber's permanency plan is Another Planned Permanent Living Arrangement (APPLA). This is the tenth CRB Review. She has lived in her designated permanent foster care placement for four years. The biological son (age 13) of the foster parents also resides in the home. The mother's whereabouts are unknown and the father is deceased.

Amber, age 17, is a junior in High School. She utilizes an Individual Education Plan (IEP) for math and language and spends one period per school day in the resource room. Amber's grades tend to fluctuate and she needs to pass all of her classes this year in order to graduate with her class next year. Amber's organizational skills could be improved. She has failed to turn in multiple assignments, but her teachers are willing to accept the assignments late. Amber excels in her graphic design class and likes to spend lunch time with the teacher of this class.

Amber is up to date on her medical, dental and vision exams. She is overweight for her age and height and being monitored for diabetes. An appointment is set for Amber to meet with a nutritionist. She would much rather watch movies and play video games than join a sports team or hang out outside.

Amber has disclosed incidents of cyber-bullying. She has received unpleasant emails and messages on Facebook. This has greatly impacted her self-esteem and she isn't motivated to go to school. She has friends, but doesn't initiate contact outside of school very often.

At the review, the following parties are present: Amber; the caseworker; and the foster mother.

Amber doesn't make eye contact with the Board. She appears expressionless. She is dressed in baggy clothes and has her baseball hat on backward. She has her hair cut short and doesn't wear makeup. She responds to questions with one word answers spoken in a soft voice.

Scenario #4

The permanency plan is Return to Parent and the concurrent plan is Another Planned Permanent Living Arrangement (APPLA). James, age 14, and Nicole, age 16, entered substitute care in May 2011. This is the second CRB Review. Jurisdiction was established in July 2011 based upon the following: The children's two younger siblings perished in a fire. The mother had left James home watching the siblings while she went gambling and the mother is unable to provide care for the children due to extreme emotional stress and anxiety; the father of Nicole has no contact with the child and needs the assistance of a child caring agency to establish a relationship; the father of Nicole has not presented himself as a resource. A legal father is not identified for James.

James and Nicole are placed together in a non-relative foster home, which has been their sole placement since entering foster care. They have daily phone contact with the mother. Unsupervised parenting time occurs as can be accommodated with the children's schedules. Nicole has regular phone contact with her father who lives out-of-state. She was able to visit him in person last year. James and Nicole spend a lot of their time playing sports and engaging in other extra-curricular activities.

Nicole is no longer engaged in individual counseling. Yesterday, James had his last counseling session. He has made a lot of progress in dealing with his grief.

The mother is able to have the children return home when she obtains safe, stable and appropriate housing. She continues to not have adequate housing for the children. She has indicated multiple times that she has located a new residence; however, does not follow through with moving. The mother's slowness in locating a new home has caused the children much frustration. The mother has reported that she has not been mentally ready to obtain a new residence. She has been experiencing some confusion in that the children are living in a great place and she doesn't want to deprive them of that.

At the review, the following parties are present: James and Nicole; the father of Nicole, via phone; the mother; the CASA; the attorney for the children; the attorney for the mother; the attorney for father of Nicole; and the foster parents, via phone.

At the review it is observed that Nicole is a very outspoken young lady and is clear about what she does and does not want. She is easily annoyed by her mother's indecisiveness. Nicole and James are very bonded and a support for each other. James is quieter than his sister and follows her lead. When the mother describes the great progress she has made in areas of her life, Nicole rolls her eyes and James crosses his arms and puts his head down. At times, James tries to comfort his mother during the review.

ENGAGING ADOLESCENTS

IN THE CRB REVIEW: General Principles

CRB Technical Assistance

Children might be exposed to unpleasant information or conflict during their review. The board may choose to bifurcate the review as an option in extremely difficult situations. Efforts should be made to minimize difficult experiences; however, it is their lives, their experiences and their futures being discussed. Children may be more upset by being excluded. By participating in reviews, children are provided accurate information and exposed to realities. This experience can give them the necessary pieces to understand and accept decisions as well as to provide closure. By participating in reviews, children gain a better understanding of supports available to them and gain a sense of control over their lives.

DOCUMENT CHILD'S ATTENDANCE IN THE CRB FINDINGS/RECOMMENDATIONS:

- If the child is present, have them introduce themselves.

OR

- If the child is not present, inquire as to why the child is not present.
- Confirm the child's absence is not due to failure to provide the child with timely notice or transportation.
- Make recommendations to encourage resolution of reasons for non-attendance.

COMMUNICATING WITH THE CHILD DURING THE CRB REVIEW:

- Be sensitive in your presentation of information.
- Pay attention to non-verbal cues and communications to evaluate the child's feelings.
- Keep language simple and age appropriate.
- Talk with the child about their interests, likes and dislikes.
- Avoid legal terminology and acronyms.
- Encourage the child to ask questions, particularly if they do not understand a question or statement.
- Recognize cultural differences in language.
- Avoid abstract questions.
- Frame questions to elicit detailed responses.
- Communicate directly with the child.
- Expect avoidance with some older children.
- Praise the child's accomplishments.

CONDUCTING THE REVIEW:

- Welcome the child, clearly state the purpose of the CRB review and familiarize them with the findings.
- Ensure all children are accompanied by a support person at the review such as the foster parent, friend, CASA, or another adult.
- Have DHS encourage the child to submit report cards or letters to the CRB.
- Read anything that the child gives to the CRB while the child is present.
- When appropriate, ask for the child's input and opinions.
- Ensure the child understands the reasoning for the findings and recommendations made by the CRB.
- Ask the child what they want to accomplish before the next CRB review.
- Ask the child whether they have any last questions, thoughts or concerns.
- Thank the child for coming to the CRB and reward even the smallest attempt at participation.
- Encourage the child to attend the next CRB review.

ENGAGING ADOLESCENTS (AGES 12-15) IN THE COURTROOM

JUDICIAL BENCH CARD¹

Document court actions

Document in the court order:

- If the youth is present, have him identify himself on the record.
- OR if the youth is not present, address the reasons why the youth is not in attendance.
 - What efforts were made and the accommodations offered to encourage the youth's attendance.
 - Explore and encourage resolution of common reasons for nonattendance, including interference with the school schedule and transportation issues.
 - In the absence of exceptional circumstances, postpone the hearing until the youth can be present.
 - Request a current picture that will be introduced into the record.²

Communicate with the youth during the court hearing

- Keep language simple and age appropriate.
- Talk with the youth about his interests, likes, and dislikes.
- If helpful, offer to have a conversation in chambers, making sure it complies with all procedural rules.
- Provide an age-appropriate list of legal terms to the child before court to which he may refer during the hearing.³
- Avoid legal jargon and acronyms.
- Encourage the youth to ask questions, particularly if he doesn't understand a question or statement.
- Recognize cultural differences in language.
- Avoid abstract questions.⁴
- Ask directed questions.⁵
- Publicly praise the youth's accomplishments.

Observe the youth's behavior and appearance

- Observe the youth's interaction with caregivers, parents, and guardians.
 - Does the youth look to them for help, support, advice, etc.?
- Observe the youth's physical appearance and health.
 - Is the youth appropriately dressed?
 - Does the youth look well-nourished?
 - Does the youth have appropriate personal hygiene?

Preparations for court attendance

- Ensure that your courtroom is teen friendly.⁶
- Ensure all children are accompanied by a support person at the hearing such as the foster parents, CASA, mentor, coach, or other adult role model.
- Provide the youth with a task (e.g., taking notes) during the hearing.⁷
- Have the agency encourage the youth to submit report cards, letters, or other age-appropriate materials periodically. Refer to anything previously submitted.
- Read anything that the youth gives to the court while the youth is present.
- When appropriate, ask for the youth's input and opinions.
- Review the outcome of the hearing with the youth and answer any questions (or ensure that someone else will do so).
- Ensure the youth understands what was ordered and why.
- When appropriate, share court documents with the youth.⁸
- Ask the youth what he wants to accomplish before the next hearing.
- Consult with the youth and his caregiver when scheduling the next hearing so it does not interfere with the youth's normal daily routine, including school.

¹ This bench card was created to assist judges when a child is present in the courtroom. It does not include what information the judge should require from additional parties, such as a report from the child's therapist about the child's mental health status.

² The social worker or caregiver can provide the court with a picture.

³ See Andrea Khoury, *With Me, Not Without Me: How to Involve Children in Court*, Child Law Practice, Vol. 26, No. 9 (November 2007).

⁴ An example of an abstract question is "How well do you get along with your family?"

⁵ Where do you want to live? What do you like about your home? Do you know why you live away from home? Do you see your mom and dad? What things do you like to do with them? Do you wish you could see them more? For more information about questioning children, see Anne Graffam Walker, *Handbook on Questioning Children: A Linguistic Perspective* (ABA Center on Children and the Law 2d ed. 1999).

⁶ It may be necessary to address issues related to the youth's safety at the courthouse and the appropriateness of courtroom waiting areas. Judges may find it beneficial to have age-appropriate games and books available.

⁷ Performing the task should be presented to the youth as an option and solely for his benefit. Performing the task may help the youth to focus attention and dissipate anxiety.

⁸ Sharing documents increases awareness and gives the youth a sense of control.

- Keep a school district calendar on the bench to ensure there are no conflicts with state standardized tests.
- Thank the youth for coming to court. Reward even the smallest attempt at participation.⁹
- Encourage the youth to attend the next hearing.
- Ask the youth whether he has any last questions, thoughts, or concerns.

Possible questions to ask the youth

- How old are you?
- What do you like (or not like) about where you are staying now?
- Do you see your mom and dad?
- Do you miss anyone? Provide options, e.g., brothers, sisters, grandparents.
- Where do you go to school?¹⁰
- What grade are you in?
- Who are some of your friends?
- What courses are you taking?
- Who is your favorite teacher?
- Do you participate in any extracurricular activities?
- Have you thought about a career or what you want to do when you finish school?
- Are you having any problems in school?
- Do you have a tutor?
- What do you do on the weekends?

⁹ Rewarding all attempts at participation adds to the youth's sense of control and self-confidence.

¹⁰ For a more detailed list of questions to ask regarding school and related issues, see National Council of Juvenile and Family Court Judges, *Asking The Right Questions: A Judicial Checklist to Ensure That The Educational Needs of Children and Youth in Foster Care Are Being Addressed* (2005). Other resources to address education issues can be found at the Legal Center for Foster Care & Education website, www.abanet.org/child/education, and in the Legal Center's recent publication, *Blueprint For Change: Education Success For Children in Foster Care*, available at www.abanet.org/child/education/blueprint.

ENGAGING OLDER ADOLESCENTS (AGES 16+) IN THE COURTROOM

JUDICIAL BENCH CARD¹

Document court actions

Document in the court order:

- If the youth is present, have him identify himself on the record.
- OR if the youth is not present, address the reasons why the youth is not in attendance.
 - What efforts were made and the accommodations offered to encourage the youth's attendance.
 - Explore and encourage resolution of common reasons for nonattendance, including interference with the school schedule and transportation issues.
 - In the absence of exceptional circumstances, postpone the hearing until the youth can be present.
 - Request a current picture that will be introduced into the record.²

Communicate with the youth during the court hearing

- Use age-appropriate language.³
- Talk with the youth about his interests, likes, and dislikes.
- If helpful, offer to have a conversation in chambers, making sure it complies with all procedural rules.
- Provide an age-appropriate list of legal terms to the youth before court to which he may refer during the hearing.⁴
- Avoid legal jargon and acronyms.
- Ask directed questions.⁵
- Encourage the youth to ask questions, particularly if he doesn't understand a question or statement.
- Recognize cultural differences in language.
- Publicly praise the youth's accomplishments.

Observe the youth's behavior and appearance

- Observe the youth's interaction with caregivers, parents, and guardians.
 - Does the youth look to them for help, support, advice, etc.?
- Observe the youth's physical appearance and health.
 - Is the youth appropriately dressed?
 - Does the youth look well-nourished?
 - Does the youth have appropriate personal hygiene?

Preparations for court attendance

- Ensure that your courtroom is teen friendly.⁶
- Ensure all children are accompanied by a support person at the hearing such as the foster parents, CASA, mentor, coach, or other adult role model.
- Have the agency invite the youth to submit report cards, letters, drawings, stories, poems, or other age-appropriate materials periodically. Refer to anything previously submitted.
- Read anything that the youth gives to the court while the youth is present.
- When appropriate, ask for the youth's input and opinions.
- Talk with the youth about permanency options.⁷
- Review the outcome of the hearing with the youth and answer any questions (or ensure that someone else will do so).
- Ensure the youth understands what was ordered and why.
- When appropriate, share court documents with the youth.⁸
- Ask the youth what he wants to accomplish before the next hearing.
- Consult with the youth and his caregiver when scheduling the next hearing so it does not interfere with the youth's normal daily routine, including school.
- Keep a school district calendar on the bench to ensure there are no conflicts with state standardized tests.

¹ This bench card was created to assist judges when a child is present in the courtroom. It does not include what information the judge should require from additional parties, such as a report from the child's therapist about the child's mental health status.

² The social worker or caregiver can provide the court with a picture.

³ Older adolescents can understand more complex concepts.

⁴ See Andrea Khoury, *With Me, Not Without Me: How to Involve Children in Court*, Child Law Practice, Vol. 26, No. 9 (November 2007).

⁵ Where do you want to live? What do you like about your home? Do you know why you live away from home? Do you see your mom and dad? What things do you like to do with them? Do you wish you could see them more?

⁶ It may be necessary to address issues related to the youth's safety at the courthouse and the appropriateness of courtroom waiting areas. Judges may find it beneficial to have age-appropriate games and books available.

⁷ Questions that address permanency may include: Who do you spend most of your time with? Over the holidays, who do you spend time with? Is there a relative that you are close to? Is there a close family friend that you like to spend time with? Do you know what adoption is? Do you want to be adopted?

⁸ Sharing court documents increases awareness and gives the youth a sense of control.

- Thank the youth for coming to court.
- Encourage the youth to attend the next hearing.
- Ask the youth whether he has any last questions, thoughts, or concerns.

Possible questions to ask the youth

- Who is your favorite teacher? Why?
- Do you participate in sports or other extracurricular activities?
- Is there anyone helping you with vocational or college applications?⁹
- When will you graduate?
- What are your post-graduation plans?
- Do you have an interest in the military?
- Do you have a mentor?
- Do you have someone you can call at anytime?
- Who do you rely on if you need help?
- Do you drive?
- What do you like to do on the weekends?
- Do you have a job?

⁹ For a more detailed list of questions to ask regarding school and related issues, see National Council of Juvenile and Family Court Judges, *Asking the Right Questions: A Judicial Checklist to Ensure That the Educational Needs of Children and Youth in Foster Care Are Being Addressed* (2005). Other resources to address education issues can be found at the Legal Center for Foster Care & Education website, www.abanet.org/child/education, and in the Legal Center's recent publication, *Blueprint for Change: Education Success for Children in Foster Care*, available at www.abanet.org/child/education/blueprint.