

Tips for Preparing Youth for Virtual Hearings in Child Welfare Matters

1. Make sure the youth has access to technology and the internet.

- a. Do they have access to a computer or phone with video feature and internet/ WiFi? Do they have enough data to participate in the hearing and meet their other communications needs?
- b. Will they need help paying for data to ensure access and other communications?
- c. Do they know how to use the equipment?
- d. Is there a back-up plan, like phone access, if there are technical difficulties?
- e. Is there a need for an interpreter?
- f. Have you done a trial run with the youth to make sure everything works and he or she feels comfortable?
- g. If you have not been able to assure access to what is needed to participate in the hearing, have you contacted the child welfare agency and court to inform them that you have not been able to ensure access and ask for assistance or a new date and remedial orders?

2. Explain the platform and basics of how it works.

- a. Does the youth know how to mute and unmute?
- b. Does the youth understand what can be seen when on camera?
- c. Does the youth understand who will be part of the hearing and can hear what he or she says?
- d. Does the youth understand that any chatting you do through the platform may not be private?
- e. Have you advised the youth not to communicate with you in that manner during the hearing?

3. Make sure the youth has a place where he or she can privately participate in the hearing.

- a. What arrangements have been made to ensure that the youth can participate without the presence of a caregiver or staff so they can speak freely?
- b. What arrangements have been made to ensure that the youth has a quiet space that is private?
- c. If you have not been able to assure privacy, have you contacted the child welfare agency and court to inform them that you have not been able to ensure privacy and ask for assistance or a new date and remedial orders?

4. Make a plan for communication during the hearing.

- a. What is the plan for how you and the youth will communicate confidentially during the hearing? Text, email, google hangouts?
- b. Have you let the youth know that you will not be communicating with them on the platform (chatting or in separate “rooms”) because those communications are not confidential?
- c. Does the youth understand that he or she can ask to pause the hearing so that they can talk privately with their lawyer?

5. Clarify expectations for the hearing.

- a. Does the youth understand if there are expectations about dress for the hearing?

- b. Does the youth know when the hearing will start, if there is a chance for delays, and how long it will last? (Should they have a snack before the hearing? Will they need to cancel or postpone other plans?)
- c. Has the youth identified the best place to do the hearing from? Have you let them know that a quiet, private space is ideal and that having a neutral background (or at least a background that does not have things the youth would not want to be seen) is best?
- d. Does the youth understand that it is important to stay in a quiet space and not do other activities at the same time? If the youth feels they do not have control over this due to scheduling or placement conditions, additional planning may be needed. (e.g., making arrangements with the resource parent or placement, letting the judge know at the beginning of the hearing)
- e. Have you explained to the youth who will be at the hearing and how he or she can see participants on the screen?
- f. Have you let the youth know that they can ask you questions during the hearing or ask for time to talk to you?

6. Prepare with the youth to identify key issues to raise at the hearing.

- a. Are there any COVID-19 specific issues to raise? Placement? Health? School? Visitation, etc.?
- b. What are the ongoing issues that need to be flagged? Permanency? Transition planning? Placement issues, such as getting to a more family based setting?

7. Prepare with the youth to determine if and how they want to speak at the hearing.

- a. Prepare with the youth for participation in the hearing, including what they want to say.
 - i. Does the youth want to present anything during the hearing?
 - ii. Would the youth like to prepare a statement to read?
 - iii. Would the youth like to answer questions you have prepared with them?

8. Make a plan to debrief with the youth and ensure that the youth has emotional support.

- a. Have you made a plan to talk with the youth about the hearing as soon as possible following the hearing?
- b. Have you helped the youth identify someone in the home or placement or someone he or she can reach out to if they need support after the hearing if you are not available?

This document was created in the summer of 2020 during the COVID-19 pandemic and was last edited in August 2021. It was prepared using feedback from many attorneys across the country. Special thanks to attorneys from: KIdsVoice, the ABA Center for Children and the Law, the Interdisciplinary Child Advocacy Clinic at the University of Pennsylvania Law School, and the Children's Advocacy Clinic at the Dickinson Law School. If you would like to provide further suggestions and edits, please email info@yjc.org