

CHILD PROTECTION BEST PRACTICES BULLETIN

Innovative Strategies to Achieve Safety, Permanence, and Well-Being

BEST PRACTICE BULLETINS

- ADVANCE CALENDARING
- CONNECTING CHILDREN WITH INCARCERATED PARENTS
- EDUCATION ADVOCACY
- FAMILY ENGAGEMENT
- FOSTER PARENT INVOLVEMENT
- MAXIMIZING THE INVOLVEMENT OF YOUNG PEOPLE
- OPEN ADOPTION AND MEDIATED CONTACT AGREEMENTS
- PACING PERMANENCY
- PARENT-CHILD VISITATION
- PRESERVING CULTURAL CONNECTIONS
- SPECIAL CALENDARING
- TRANSITION PLANNING
- TRANSITION HOME PLANS
- WELL-BEING CHECKLISTS
- WORKING WITH UNDOCUMENTED & MIXED STATUS CHILDREN AND FAMILIES

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ADVANCE CALENDARING

WHAT IS *Advance Calendar*ing?

Advance Calendar

ing involves setting upcoming court dates and related events at the earliest possible point in an abuse or neglect case and as far in advance as reasonable. Ideally, at the conclusion of the Custody Hearing, the Court would schedule the mandatory Pre-Adjudicatory Meeting, the Adjudicatory and Dispositional Hearings, the Initial Judicial Review, the mandatory Pre-Permanency Meeting, and the Permanency Hearing. Alternatively, at the conclusion of the Adjudicatory and Dispositional Hearing, the Court would schedule the Initial Judicial Review, the mandatory Pre-Permanency Meeting, and the Permanency Hearing.

Advance Calendar

ing is particularly important in child abuse and neglect cases where time frames are firmly fixed in federal and state law. Advance Calendaring is also instrumental in ensuring that efforts to achieve permanency for the child are moving forward as efficiently and effectively as possible.

Advance Calendar

ing often includes advance notice about the Court's expectations in terms of reports and other information to be presented at subsequent hearings.

WHAT IS *Current Practice*?

Currently, there is no standardized statewide practice regarding Advance Calendar

ing. Some courts do use advance calendaring, scheduling many or all upcoming hearings at either the custody or adjudicatory hearing. Other courts set the next hearing only, scheduling one event in advance. Still other courts wait to receive a scheduling request from the attorney following a hearing.

What is *Best Practice*?

As early as possible in the child abuse or neglect case, preferably at the end of the Custody Hearing, the Court would issue a Scheduling Order specifying the times and dates of all upcoming events, including the Pre-Adjudicatory Meeting, the Adjudicatory and Dispositional Hearings, the Initial Judicial Review, the Pre-Permanency Meeting, and the Permanency Hearing.

The Scheduling Order would also identify the amount of time allotted for the events. All parties would receive a copy of the Scheduling Order. Following the hearing, the Scheduling Order would be filed and the events would be docketed by the Court Clerk. Then, at each subsequent hearing, the Court would confirm the date of the next scheduled event, identify specific issues to be addressed, and inform the parties of expectations regarding evaluations and assessments to be conducted, services to be provided, reports to be submitted, and other expectations.

The last Permanency Hearing prior to a young person's eighteenth birthday should also be scheduled as the Discharge Hearing. Additional time should be allotted for this hearing to ensure that all transition services are in place and that required information has been provided to the youth.

Counsel for all parties should notify the Court as early as possible if the time requirements for any hearing change to avoid the need for last minute continuances.

What is *my* *ROLE*?

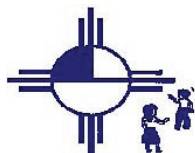
- As a JUDGE, you would set an Advance Calendar in every case. At the custody or adjudicatory hearing, you would set the date, time, and amount of time for all subsequent meetings and hearings up to and including the permanency hearing. If the child remains in custody after the permanency hearing, you would calendar the subsequent judicial review. For all advance calendars, you would sign the Scheduling Order and ensure that all parties receive copies. You would identify the key issues to be addressed at each event and set out expectations of the parties in terms of evaluations and assessments to be conducted, services to be provided, reports to be submitted, and other expectations. You would also develop and enforce a policy regarding the allowable circumstances for continuances or rescheduling of calendared events.
- As a CASEWORKER, you would make sure that evaluations, assessments, services, and reports are timely for each event.
- As a CHILDREN'S COURT ATTORNEY, you would meet with the caseworker to review legal issues and case materials, interview witnesses, develop evidence, and otherwise prepare for each event.
- As a RESPONDENT ATTORNEY or YOUTH ATTORNEY, you would meet with your client in advance of each event to ensure that your client understands the issues and is prepared, and to make sure you understand your client's wishes. You would make sure your client participates in each scheduled event. You would also review case materials; interview witnesses; develop evidence; and otherwise prepare for each event.
- As a GAL, you would meet with your client in advance of each event to ensure that your client understands what is happening and is prepared. If appropriate, you would make sure your client participates in each scheduled event. You would also review case materials; interview witnesses; develop evidence; and otherwise prepare for each event.
- As a CASA VOLUNTEER, you would meet regularly with the child and others associated with the case to ensure you have up-to-date information. You would prepare reports to coincide with calendared events looking at the timeliness for hearings, deadlines, and meetings, and the child's best interest.
- As a CRB MEMBER, you would hold reviews as scheduled by the CRB office, to coincide with calendared events.
- As a PARENT, you would keep track of your scheduled hearings and attend each one. You would communicate with your attorney to make sure you understand what is expected of you at each hearing, and do everything you can to meet those expectations.
- As a FOSTER PARENT, you would keep track of the hearings scheduled in the case and plan to participate in each one if possible. If your foster child is supposed to receive any evaluations or assessments or participate in any other services before the hearing, you would do your part to make sure he or she receives those services.

- As a YOUTH, you would keep track of your scheduled hearings and attend each one if possible. You would talk to your Youth Attorney to make sure you understand what is expected of you at each hearing, and do everything you can to meet those expectations.

What are the advantages of *Advance Calendaring*?

- There are many advantages to using Advance Calendaring for all the parties involved in a child abuse or neglect case. Having definite dates and times for hearings well in advance allows everyone involved in the case to plan ahead with certainty.
- Advance Calendaring promotes permanency and ensures that mandatory time frames are met, and that continuances and other delays are avoided.
- Advance Calendaring leads to increased court efficiency and results in time savings for all participants.
- Advance Calendaring facilitates a particularized process in which the Court decides, on a case-by-case basis and with input from counsel, how soon and how often to review the case and what issues to focus on.
- Advance Calendaring allows for more systematic and timely preparation for the next hearing by all parties, including the case worker.
- Advance Calendaring enables the Citizen Review Board to schedule reviews in a more timely manner.
- Advance Calendaring minimizes the number of hearings commenced and continued.

THIS BULLETIN IS JOINTLY PUBLISHED BY:



NEW MEXICO CHILDREN'S COURT
IMPROVEMENT COMMISSION

SAMPLE SCHEDULING ORDER

STATE OF NEW MEXICO
COUNTY OF _____
_____ JUDICIAL DISTRICT
IN THE CHILDREN'S COURT

STATE OF NEW MEXICO ex rel., CHILDREN, YOUTH AND FAMILIES DEPARTMENT,

In the Matter of (Child(ren)'s names), A Child(ren), And Concerning (Jane Doe and John Doe), Respondent(s).

JQ No. _____
Judge _____

SCHEDULING ORDER

The Court enters the following scheduling order:

1. All parties and counsel shall attend the mandatory pre-adjudication meeting (as to all parties), on (date), at (time) a.m./p.m. at the _____ County District Court, _____, New Mexico, with (time allotted) allotted for the meeting.
2. The Adjudicatory and Dispositional Hearing (as to Jane/John Doe), is hereby set for (date) (trailing), at (time) a.m./p.m. at the _____ County District Court, _____, New Mexico, with (time allotted) allotted for the hearing.
3. The Initial Judicial Review Hearing (as to Jane/John Doe), is hereby set for (date) (trailing), at (time) a.m./p.m. at the _____ County District Court, _____, New Mexico, with (time allotted) allotted for the hearing.
4. All parties and counsel shall attend the mandatory pre-permanency meeting (as to all parties), on (date), at (time) a.m./p.m. at the _____ County District Court, _____, New Mexico, with (time allotted) allotted for the conference.

The **Permanency Hearing** is hereby set on (date), at (time) a.m./p.m., (trailing), at the _____ County District Court, _____, New Mexico, with time allotted) allotted for the hearing.

Honorable Judge

xc: Children's Court Attorney
Respondent's Attorney
CASA
Citizen's Review Board

Guardian ad Litem or Youth Attorney
Judge's TCAA
Social Worker
Foster Parent/Substitute Care Provider