

CHILD PROTECTION PRACTICE GUIDE

Tools To Achieve Safety, Permanence, and Well-Being

EXTRA HEARINGS & STATUS REVIEWS

Purpose: to provide guidelines on when extra hearings and status reviews are most likely to produce positive outcomes for children and families.

Audience: Judges considering whether to schedule an extra hearing or status review, as well as Children's Court Attorneys, Guardian ad Litem, Youth Attorneys, and Respondent Attorneys requesting an extra hearing or status review.

Application: Deciding when to schedule an extra hearing or status review to maximize positive outcomes for children and families while minimizing the burden on parties and other participants.

Surveys of judges, attorneys, and Children, Youth and Families Department caseworkers revealed that extra hearings and status reviews are held in many child abuse and neglect cases and in most judicial districts.

Most survey respondents reported that extra hearings and status reviews were often useful in engaging parents and keeping them on track.

Some thought that extra hearings and status reviews worked better when scheduled by the court as opposed to motion by a party.

Survey participants generally found that extra hearings and status reviews are most useful (and also most common) between the Initial Judicial Review and the Permanency Hearing, and secondly between the Permanency Hearing and Subsequent Permanency Hearing

Many reported that extra hearings and status reviews create a burden for courts, contract attorneys, Children's Court Attorneys, caseworkers, parents and children.

The general preference of persons responding to the survey is that extra hearings and status reviews should be scheduled on a case-by-case basis. They should not be universally mandated or required in all cases.

GUIDELINES

Additional hearings and status reviews could be better managed so that they are only held for very specific case-related reasons. Thus judges and attorneys should consider extra hearings and status reviews on a case-by-case basis when one or more of the following factors apply.

- √ There is an immediate need to address significant issues or recent changes in a case.
- √ There is an immediate need to compel and engage someone in the case. This is usually the respondent but sometimes it is the Children, Youth and Families Department.
- √ There is an immediate need to assess or clarify the status and/or progress of a case.
- √ There is an immediate need to get the case moving faster.
- √ There is an immediate need to inform the court about issues or facts in the case.
- √ There is an immediate need to involve the court in making a determination or decision.
- √ Holding an extra hearing or status review is clearly in the child's best interest.