

# Common Core 3.0

## Legal Procedures and Responsibilities

### Trainer Guide



**April 30, 2019**

Use Evaluation Materials Dated June 30, 2018

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## Acknowledgements

California's Common Core Curricula for Child Welfare Workers is the result of the invaluable work and guidance of a great many people throughout the child welfare system in California and across the country. It would be impossible to list all of the individuals who contributed, but some groups of people will be acknowledged here.

The Content Development Oversight Group (CDOG) a subcommittee of the Statewide Training and Education Committee (STEC) provided overall guidance for the development of the curricula. Convened by the California Social Work Education Center (CalSWEC) and the California Department of Social Services (CDSS), CDOG membership includes representatives from the Regional Training Academies (RTAs), the University Consortium for Children and Families in Los Angeles (UCCF), and Los Angeles County Department of Children and Family Services.

In addition to CDOG, a Common Core 3.0 subcommittee comprised of representatives from the RTAs, the Resource Center for Family Focused Practice, and counties provided oversight and approval for the curriculum development process.

Along the way, many other people provided their insight and hard work, attending pilots of the trainings, reviewing sections of curricula, or providing other assistance.

California's child welfare system greatly benefits from this collaborative endeavor, which helps our workforce meet the needs of the state's children and families.

The Children's Research Center provided technical support as well as The Structured Decision Making System that includes the SDM 3.0 Policy and Procedure Manual and Decision Making Tools. These resources are used in compliance with CRC copyright agreements with California. Additionally, content in this curriculum has been adapted from CRC's SDM 3.0 classroom curriculum to meet the training needs in California. In compliance with the Indian Child Welfare Act (1978) and the California Practice Model, social workers must identify American Indian/Alaska Native children in the system. For an overview of *Implementing the Indian Child Welfare Act* view: <https://www.youtube.com/watch?v=BIQG65KFKGs>

The curriculum is developed with public funds and is intended for public use. For information on use and citation of the curriculum, please refer to: <https://calswec.berkeley.edu/programs-and-services/child-welfare-service-training-program/common-core-30>



FOR MORE INFORMATION on California's Core Curricula, as well as the latest version of this curriculum, please visit the California Social Work Education Center (CalSWEC) website: <http://calswec.berkeley.edu>

# Introduction

*Please read carefully as a first step in preparing to train this curriculum.*

**IMPORTANT NOTE:** Each curriculum within the Common Core series is mandated and standardized for all new child welfare workers in the state of California. It is essential that all trainers who teach any of the Common Core Curricula in California instruct trainees using the standardized Training Content as provided. The training of standardized content also serves as the foundation for conducting standardized testing to evaluate and improve the effectiveness of new worker training statewide.

## GENERAL INFORMATION

Common Core curriculum and training for new child welfare workers in California is designed to be generalizable across the state, cover basic child welfare knowledge and skills and is important for all CWS positions within an agency.

The Common Core Curriculum model is designed to define clearly the content to be covered by the trainer. Each curriculum consists of a *Trainee's Guide* and a *Trainer's Guide*. Except where indicated, the curriculum components outlined below are identical in both the Trainee's and Trainer's Guides. The Trainee's Guide contains the standardized information which is to be conveyed to trainees.

For an overview of the training, it is recommended that trainers first review the Agenda and Lesson Plan. After this overview, trainers can proceed to review the activities for each training segment in the Trainer's Guide and the Training Content in the Trainee's Guide in order to become thoroughly familiar with each topic and the training activities. The components of the Trainer's and Trainee's Guides are described under the subheadings listed below.

Please note that each individual curriculum within the Common Core Curricula is subject to periodic revision. The curricula posted on the CalSWEC website are the most current versions available. For more information regarding the curricula, please contact CalSWEC at [calswec\\_rta\\_cc@berkeley.edu](mailto:calswec_rta_cc@berkeley.edu) (link sends e-mail).

## COMPONENTS OF THE TRAINER'S AND TRAINEE'S GUIDES

### Learning Objectives

The Learning Objectives serve as the basis for the Training Content that is provided to both the trainer and trainees. All the Learning Objectives for the curriculum are listed in both the Trainer's and Trainee's Guides. The Learning Objectives are subdivided into three categories: Knowledge, Skills, and Values. They are numbered in series beginning with K1 for knowledge, S1 for skills, and V1 for values. The Learning Objectives are also indicated in the Lesson Plan for each segment of the curriculum.

*Knowledge Learning Objectives* entail the acquisition of new information and often require the ability to recognize or recall that information. *Skill Learning Objectives* involve the application of knowledge and frequently require the demonstration of such application. *Values Learning Objectives* describe attitudes, ethics, and desired goals and outcomes for practice. Generally, *Values Learning Objectives* do not easily lend themselves to measurement, although values acquisition may sometimes be inferred through other responses elicited during the training process.

## **Agenda**

The Agenda is a simple, sequential outline indicating the order of events in the training day, including the coverage of broad topic areas, pre-tests and/or post-tests, training activities, lunch, and break times. The Agenda for trainers differs slightly from the Agenda provided to trainees in that the trainer's agenda indicates duration; duration is not indicated on the agenda for trainees.

## **Lesson Plan (Trainer's Guide only)**

The Lesson Plan in the Trainer's Guide is a mapping of the structure and flow of the training. It presents each topic and activity and indicates the duration of training time for each topic.

The Lesson Plan is divided into major sections by Day 1, Day 2, and Day 3 of the training, as applicable, and contains two column headings: Segment and Methodology and Learning Objectives. The Segment column provides the topic and training time for each segment of the training. The Methodology and Learning Objectives column reflects the specific activities and objectives that are covered in each segment. As applicable, each activity is numbered sequentially within a segment, with activities for Segment 1 beginning with Activity 1A, Segment 2 beginning with Activity 2A, etc.

## **Evaluation Protocols**

It is necessary to follow the step-by-step instructions detailed in this section concerning pre-tests, post-tests, and skill evaluation (as applicable to a particular curriculum) in order to preserve the integrity and consistency of the training evaluation process. Additionally, trainers should not allow trainees to take away or make copies of any test materials so that test security can be maintained.

## **Training Segments (Trainer's Guide only)**

The Training Segments are the main component of the Trainer's Guide. They contain guidance and tips for the trainer to present the content and to conduct each Training Activity. Training Activities are labeled and numbered to match the titles, numbering, and lettering in the Lesson Plan. Training Activities contain detailed descriptions of the activities as well as step-by-step tips for preparing, presenting, and processing the activities. The description also specifies the Training Content that accompanies the activity, and the time and materials required.

Occasionally, a Trainer's Supplement is provided that includes additional information or materials that the trainer needs. The Trainer's Supplement follows the Training Activity to which it applies.

## **Training Content (Trainee's Guide only)**

The Training Content in the Trainee's Guide contains the standardized text of the curriculum and provides the basis for knowledge testing of the trainees. Training activities are labeled and numbered to match the titles and numbering in the Lesson Plan.

## **Supplemental Handouts**

Supplemental Handouts refer to additional handouts not included in the Trainee's Guide. For example, Supplemental Handouts include PowerPoint printouts that accompany in-class presentations or worksheets for training activities. Some documents in the Supplemental Handouts are placed there because their size or format requires that they be printed separately.

## **References and Bibliography**

The Trainer's Guide and Trainee's Guide each contain the same References and Bibliography. The References and Bibliography indicates the sources that were reviewed by the curriculum designer(s) to prepare and to write the main, supplemental and background content information, training tips, training activities and any other information conveyed in the training materials. It also includes additional resources that apply to a particular content area. The References and Bibliography may include the following:

- All-County Letters (ACLs) and All-County Information Notices (ACINs) issued by the California Department of Social Services (CDSS);
- Legal References (as applicable); and
- General References and Bibliography

In certain curricula within the Common Core series, the References and Bibliography may be further divided by topic area.

### **Materials Checklist (Trainer's Guide only)**

In order to facilitate the training preparation process, the Materials Checklist provides a complete listing of all the materials needed for the entire training. Multi-media materials include such items as videos, audio recordings, posters, and other audiovisual aids. Materials specific to each individual training activity are also noted in the Training Segments in the Trainer's Guide.

### **Posters (Trainer's Guide only)**

Some curricula feature materials in the Trainer's Guide that can be used as posters or wall art.

## Tips for Training this Curriculum

Common Core curriculum and training for new child welfare workers in California is designed to be generalizable across the state, cover basic child welfare knowledge and skills, and is important for all CWS positions with in an agency.

### TRAINING PREPARATION

It is **required** that the trainer preview the following eLearning as prerequisite to the classroom:

1. Legal Procedures

It is **recommended** that the trainer preview the following eLearning(s) and/or classroom trainings pre-requisites to training the classroom:

1. Federal and State Laws
2. Introduction to ICWA eLearning
3. ICWA and Working with Native American Families and Tribes classroom

It is **suggested** that you orient yourself to all the blocks in preparation for this training to make links and dig deeper into skill building:

1. Foundation
2. Engagement
3. Assessment
4. Case Planning and Service Delivery
5. Monitoring and Adapting
6. Transition

Contact your Regional Training Academy/UCCF for more information and to register for the eLearnings as well as to access the classroom curriculum. Visit CalSWEC website for more information at: <https://calswec.berkeley.edu/programs-and-services/child-welfare-service-training-program/common-core-30>

### County Variations in Practice:

All counties have their own policies and procedures for court cases that are based on State laws. It is important that the trainees are referred to their own supervisor and county counsel for policy specific questions related to legal procedures. Continued consultation and collaboration with their supervisor and county counsel should be encouraged.

### Training Activities:

Because this training is activity rather than lecture based, trainers should have extensive knowledge of CC3.0 content, training modalities, adult learning theory, and coaching. Trainers should be prepared to address a wide variety of trainee questions in the moment relying on CC3.0 informational materials and professional experience. Regional Training Academies may have additional resources for preparing trainees to present this curriculum.

## **Common Core Course Tips for Trainer of this Course:**

Trainers should take the following courses or be familiar with the content to be prepared to train this course.

Legal Procedures eLearning

Federal and State Laws eLearning

Segment 3: Handout 1: All County Information Notice No:I-05-14, Sharing Information With Caregivers, printed for all trainees.

Segment 6 Handout 2: WIC 361.5 Reasons for Non-Reunification found in the supplemental handouts of this guide, should be printed for each participant. This handout should not be passed out until midway through the Segment 6 activity.

Segment 7: The RTA should have copies of the following handouts either printed and bound to be used in each class, or as handouts for each participant in each class:

Handout 3: CR Legal Procedures Detention Minute Order

Handout 4: CR Legal Procedures Jurisdiction Minute Order

Handout 5: CR Legal Procedures Disposition Minute Order

Handout 6: CR Legal Procedures Removal from Custodial Parent

Handout 7: CR Legal Procedures Court Report

Please note: These handouts can be changed to match the minute orders and court reports within the counties served by the RTAs. The content of each report and/or minute order should remain, but the formatting/structure can change. An example: Handout 5 is a status review court report, if the county uses third person language the report can be modified to be written in the third person.

### **FAMILY FRIENDLY LANGUAGE**

Trainers are the example for modeling this for participants. The hope is that the work is done with families, not on clients. Use words such as parents, young adults, youth, child, family...rather than clients. We want to model that families involved in child welfare services are not separate from us as social workers, but part of our community. This is the goal of the California Child Welfare Core Practice Model as well and reflects the behaviors we want to see demonstrated in social workers work with families. For more information on the Californian Child Welfare Core Practice Model visit the CalSWEC website at <http://calswec.berkeley.edu/california-child-welfare-core-practice-model-0>.

### **SAFETY ORGANIZED PRACTICE**

Some content in this curriculum was developed by the National Council on Crime and Delinquency (NCCD) and the Northern California Training Academy as part of the Safety Organized Practice Curriculum. Please note, not all California Counties are actively practicing Safety Organized Practice. However, the framework, principles and concepts are integrated throughout the curriculum as tools and best practices. Safety Organized Practice (SOP) is a collaborative practice approach that emphasizes the importance of teamwork in child welfare. SOP aims to build and strengthen partnerships with the child welfare agency and within a family by involving their informal support networks of friends and family members. A central belief in SOP is that all families have strengths. SOP uses strategies and techniques that

align with the belief that a child and his or her family are the central focus, and that the partnership exists in an effort to find solutions that ensure safety, permanency, and well-being for children. Safety Organized Practice is informed by an integration of practices and approaches including:

- Solution-focused practice<sup>1</sup>
- Signs of Safety<sup>2</sup>
- Structured Decision making<sup>3</sup>
- Child and family engagement<sup>4</sup>
- Risk and safety assessment research
- Group Supervision and Interactional Supervision<sup>5</sup>
- Appreciative Inquiry<sup>6</sup>
- Motivational Interviewing<sup>7</sup>
- Consultation and Information Sharing Framework<sup>8</sup>
- Cultural Humility
- Trauma-informed practice

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<sup>1</sup> Berg, I.K. and De Jong, P. (1996). Solution-building conversations: co-constructing a sense of competence with clients. *Families in Society*, pp. 376-391; de Shazer, S. (1985). *Keys to solution in brief therapy*. NY: Norton; Saleebey, D. (Ed.). (1992). *The strengths perspective in social work practice*. NY: Longman.

<sup>2</sup> Turnell, A. (2004). Relationship grounded, safety organized child protection practice: dreamtime or real time option for child welfare? *Protecting Children*, 19(2): 14-25; Turnell, A. & Edwards, S. (1999). *Signs of Safety: A safety and solution oriented approach to child protection casework*. NY: WW Norton; Parker, S. (2010). *Family Safety Circles: Identifying people for their safety network*. Perth, Australia: Aspirations Consultancy.

<sup>3</sup> Children's Research Center. (2008). *Structured Decision Making: An evidence-based practice approach to human services*. Madison: Author.

<sup>4</sup> Weld, N. (2008). The three houses tool: building safety and positive change. In M. Calder (Ed.) *Contemporary risk assessment in safeguarding children*. Lyme Regis: Russell House Publishing.

<sup>5</sup> Lohrbach, S. (2008). Group supervision in child protection practice. *Social Work Now*, 40, pp. 19-24.

<sup>6</sup> Cooperrider, D. L. (1990). Positive image, positive action: The affirmative basis of organizing. In S. Srivasta, D.L. Cooperrider and Associates (Eds.). *Appreciative management and leadership: The power of positive thought and action in organization*. San Francisco: Jossey-Bass.

<sup>7</sup> Miller, W.R., & Rollnick, S. (2012). *Motivational Interviewing*, (3<sup>rd</sup> Ed.). NY: Guilford Press.

<sup>8</sup> Lohrbach, S. (1999). *Child Protection Practice Framework - Consultation and Information Sharing*. Unpublished manuscript; Lohrbach, S. & Sawyer, R. (2003). Family Group Decision Making: a process reflecting partnership based practice. *Protecting Children*. 19(2):12-15.

## Evaluation

This curriculum uses a knowledge post-evaluation to promote learning and provide evaluative feedback on the curriculum. There must be a high level of standardization in both the content and delivery each time that training is delivered in order to utilize gathered data to inform curriculum improvement. Trainers must follow the curriculum as it is written and include all activities that lead to the eventual evaluation segment.

To complete the evaluation activity trainers must follow the instructions found in the evaluation segment of this Guide. When conducting the evaluation activity and debrief please follow the instructions found in the evaluation segment and note that all trainer verbal directions are **bolded**.

### Answer Sheets

Prior to beginning the testing, make sure that you have enough post-evaluations and are using an Answer Sheet supported by the TeleForm software utilized to process answer sheets at CalSWEC. In addition, check that you are administering the correct version of the Answer Sheet, i.e., the version noted at the bottom of the front page of this Guide.

If you are not sure whether the test version that you have printed is current, please connect with the Regional Training Academy or University Consortium for Children and Families for which you are training.

If you have administered an old version of the Answer Sheet please make note of this on the cover sheet as a failure to do so could lead to lost testing data, as those answer sheets would have been phased out.

### County and Training Site Code Information

Trainees must write their County and Training Site codes on the top of their Answer Sheets. For completion of the County and Training Site codes section of the Answer Sheet, please make sure that you supply the relevant documents to trainees. If you do not have a document with this information it should be made available from the Regional Training Academy or University Consortium for Children and Families.

Please note that evaluation instruments are subject to periodic revision. The relevant evaluation tool posted on the CalSWEC website is the most current version available. For questions regarding evaluation, contact Tenia Davis, [teniad@berkeley.edu](mailto:teniad@berkeley.edu).

## Agenda

❑ Segment 1: Welcome and Review of Agenda	9:00 – 9:30 AM
❑ Segment 2: Legal Procedures eLearning Review	9:30 – 10:00 AM
❑ Segment 3: Confidentiality	10:00 – 10:20 AM
❑ Segment 4: ICWA Legal Procedures	10:20 – 10:40 AM
Break	10:40 – 10:55 AM
❑ Segment 5: Participants in the Courtroom	10:55 – 11:05 AM
❑ Segment 6: Guidelines for Providing Testimony	11:05AM – 12:05 PM
Lunch	12:05 – 1:05 PM
❑ Segment 7: Preparing for Court	1:05 – 2:25 PM
Break	2:25 – 2:40 PM
❑ Segment 8: Engaging Families in the Court Process	2:40 – 3:20 PM
❑ Segment 9: Wrap up and Post-test	3:20 – 4:00 PM

# Learning Objectives

## Knowledge

- K1.** The trainee will define the concept of confidentiality (WIC Code 827 and 362.5) as it pertains to the court process and proceedings.
- K2.** The trainee will state the concept and document of Reasonable Efforts and reasonable services to prevent removal, facilitate reunification, and finalize a permanent plan.
- K3.** The trainee will state the concept of Active Efforts as it relates to the Indian Child Welfare Act (ICWA) and be able to differentiate between Reasonable Efforts and Active Efforts.
- K4.** The trainee will be able to identify how Tribal sovereignty influence Tribes' relationship with child welfare services.
- K5.** The trainee will be able to identify the following guidelines for providing testimony:
  - a. Be truthful
  - b. Avoid bias
  - c. Testify only to facts within your experience and knowledge
  - d. Listen carefully to the question and pause before answering
  - e. Answer only the questions asked
  - f. Do not give an opinion unless requested
  - g. Be aware of your verbal and non-verbal communication
  - h. Speak slowly, loudly, and clearly

## Skill

- S1.** The trainee will be able to describe the four standards of evidence and identify the level of evidence needed at each hearing:
  - a. Prima Facie
  - b. Preponderance
  - c. Clear and Convincing
  - d. Beyond Reasonable Doubt
  
- S2.** Given scenarios, the trainee will be able to identify the purpose and timeframes of each hearing below, and be able to provide the information needed to prepare for and testify in each hearing:
  - a. Initial Petition Hearing
  - b. Jurisdiction Hearing
  - c. Disposition Hearing
  - d. Status reviews (FM and FR hearings)
  - e. 366.26 Hearing
  - f. Post Permanency Hearing (366.3 and 361.31 hearings)
  - g. Termination of Jurisdiction Hearing (391 requirements)
  - h. Re-Entry Hearing for Non-Minor Dependents (388.1)

**S3.** Given a scenario, the trainee will be able to demonstrate ways in which presentation of the purpose of the hearing, time frames and court process; can enhance the family's ability to understand the dependency process.

**Values**

**V1.** The trainee will respect the role of the social worker in preparing for a court hearing, gathering information, and testifying in court.

**V2.** The trainee will endorse the role of collaboration between the social worker and families in providing information about the legal process.

# Lesson Plan

Segment	Methodology and Learning Objectives
<b>Segment 1</b> <b>30 min</b> <b>9:00 – 9:30 am</b>	<b>Activity 1A</b> Introductions Icebreaker
Welcome and Introductions to the Training	<b>Activity 1B</b> Introduction to the Learning Objectives and California Child Welfare Core Practice Model  <i>Power Point Slides: 1-6</i> <i>Learning Objectives: None</i>
<b>Segment 2</b> <b>30 min</b> <b>9:30 – 10:00 am</b>	<b>Activity 2A</b> Review of the Trainee Guide from eLearning
Legal Procedures eLearning Review	<i>Power Point Slides: 7-8</i> <i>Learning Objectives: S1, S2, S3</i>
<b>Segment 3</b> <b>20 min</b> <b>10:00 – 10:20 am</b>	<b>Activity 3A</b> Confidentiality
Segment 3: Confidentiality	<i>Power Point Slide: 9</i> <i>Learning Objective: K1</i>
<b>Segment 4</b> <b>20 min</b> <b>10:20 – 10:40 am</b>	<b>Activity 4A</b> ICWA
ICWA and Legal Responsibilities	<i>Power Point Slides: 15-16</i> <i>Learning Objective: K3, K4, S1</i>
<b>10:40 – 10:55 am</b> <b>15 min</b> <b>BREAK</b>	
<b>Segment 5</b> <b>10 min</b> <b>10:55 – 11:05 am</b>	<b>Activity 5A</b> Participants in the Courtroom
Participants in the Courtroom	<i>Power Point Slide: 17</i> <i>Learning Objective: S3, V1, V2</i>

Segment	Methodology and Learning Objectives
<b>Segment 6</b> <b>60 min</b> <b>11:05 am– 12:05 pm</b>  Guidelines for Providing Testimony	<b>Activity 6A</b> Guidelines for Providing Testimony  <i>Power Point Slides: 18-20</i> <i>Learning Objectives: K5, V1, V2</i>  <b>Activity 6B</b> Legally Sound Decisions  <i>Power Point Slide: 21</i> <i>Learning Objectives: K5, V1</i>
<b>12:05 pm – 1:05 pm</b> <b>60 min</b> <b>LUNCH</b>	
<b>Segment 7</b> <b>80 min</b> <b>1:05 – 2:25 pm</b>  Preparing for Court	<b>Activity 7A</b> <b>Hearing Outcomes and Minute Orders</b>  <i>Power Point Slides: 22-23</i> <i>Learning Objectives: S1, S2, S3, V1, V2</i>  <b>Activity 7B</b> <b>Understanding the Purpose of Hearings, and Preparing for Hearings</b>  <i>Power Point Slide: 24</i> <i>Learning Objective: S2, S2, S3, V1, V2</i>
<b>Break 2:25 – 2:40</b>	
<b>Segment 8</b> <b>40 Min</b> <b>2:40 – 3:20 pm</b>  Engaging Families in the Court Process	<b>Activity 8A</b> <b>Engaging Families in the Court Process</b>  <i>Power Point Slides: 2-26</i> <i>Learning Objectives: S3, V2</i>
<b>Segment 9</b> <b>40 min</b> <b>3:20 – 4:00 pm</b>  Wrap-up and _Post-test	<b>Activity 9A</b> <b>Wrap-up, Questions, Participant Satisfaction Survey</b>  <i>Power Point Slide: 27</i>  <b>Activity 9B</b> <b>Post Test</b>

## Segment 1: Welcome and Introductions to the Training

<b>Segment Time:</b>	30 minutes
<b>Activity Time:</b>	ACTIVITY 1A: Introductions Icebreaker (10 minutes) ACTIVITY 1B: Introductions to the Learning Objectives and California Child Welfare Core Practice Behaviors (20 minutes)
<b>Trainee Content:</b>	Segment 1A: Agenda
<b>Materials:</b>	Chart pad, markers, and tape (if doing Group Agreements)
<b>Slides:</b>	<b>1-4</b>

### Description of Activity:

The trainer will conduct an introductory activity, developing Group Agreements, and a review of the Agenda.

### Before the activity

- ❑ Decide whether or not you will establish Group Agreements as part of this activity. If you plan to develop Group Agreements, prepare your chart pad in advance with some initial agreements such as starting and ending on time, sharing the floor, etc. Leave space for the group to develop their own Group Agreements.

### During the activity

- ❑ Welcome the trainees to the training and introduce yourself.



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- ❑ Provide an overview of the Agenda for the day. The Agenda is found in Segment 1A of the Trainee Guide.
- ❑ Let trainees know that this is a 6-hour training, with the last 30 minutes set aside for the post-test.

#### Overview of the Day

- Welcome
- Agenda
- Learning Objectives
- Post-test

- Go over the basic Group Agreements included on the slide and use chart pad paper to add agreements or modify the one provided.

Offer the following brief explanations of the Group Agreements<sup>9</sup> as needed (this will depend on whether or not this group has already worked to establish Group Agreements). This activity provides a model for the group work social workers will do with child and family teams, so you may wish to make that connection as well.

- **Collaboration** - We need partnership to have engagement and that works best if we trust each other and agree we are not here to blame or shame. We are here because we share a common concern for the safety and well-being of children. Remind them how this skill will be needed when working with families as they are the experts on their family. Social workers must be able to foster collaboration in order to complete a thorough assessment of the situation. Families need to feel trust before they honestly examine themselves and be able to look at a problem and their part in it.
- **Ask lots of questions** - Point out that the trainer can't make the training relevant for each person because there are many people in the room with different experiences and different needs. Trainees have to make it relevant for themselves by asking lots of questions and deciding how the experience might be helpful or not helpful to them.
- **Be open to trying new things** - As professionals we feel more comfortable and competent sticking with what we know. We don't always like it when new things come along. Sometimes it feels uncomfortable to try new things so we tend to back away from the new thing telling ourselves things like "she doesn't know what she's talking about...she has never worked in our community with the people we work with..." But to learn something new we have to do through the uncomfortable stage to get to the other side where it feels natural and comfortable. With this Group Agreement, they are agreeing to try new things even if they feel uncomfortable.
- **Make mistakes** - As professionals we don't like to make mistakes. And when we make mistakes we feel discouraged and beat ourselves up. But, if we are going to learn new things, we have to make mistakes. Even more important than the willingness to make mistakes is the willingness to admit we are wrong even when we don't want to be. Growth requires that we are open to changing our minds based on new information received. We must also be willing to put our own ideas aside to fully hear the views of others.
- **Confidentiality** - This is just a reminder that information about families or other

#### Group Agreements



- Be collaborative
- Ask lots of questions – let us know what you think
- Be open to trying new things
- Be willing to make mistakes
- Maintain confidentiality
- Be responsible for your own learning

<sup>9</sup> Shared by trainer Betty Hanna

trainees shared in the training room should be kept confidential.

- **Be responsible for your own learning** – As adult learners we realize you come with knowledge, skills and experience. The intention of this curriculum is that you will have an opportunity to share this via large and small group discussions. Please come prepared to training having taken any prerequisite eLearning or classroom trainings. Set aside this day for your learning, please do not bring work into the classroom, this is distracting to other participants as well as to the trainer/facilitator. This includes being on time, sharing the floor, cell phones off...

**ACTIVITY 1B: Introductions to the Learning Objectives and California Child Welfare Core Practice Behaviors**

<b>Activity Time:</b>	20 minutes
<b>Trainee Content:</b>	Segment 1B: Learning Objectives, CA Core Practice Model
<b>Materials:</b>	None
<b>Slides:</b>	5-6

**Description of Activity:**

The trainer will introduce the trainees to the goals of the training and the Learning Objectives.

**Before the activity**

- ❑ Be familiar with the California Child Welfare Core Practice Model, Practice Behaviors found at <http://calswec.berkeley.edu/california-child-welfare-core-practice-model-0> and be prepared to facilitate a discussion how key practice behaviors impact the legal process.

**During the activity**

<ul style="list-style-type: none"> <li>❑ Ask the trainees to review the Learning Objectives found in Segment 1B of the Trainee Guide. Ask them to circle one objective they would like to know more about.</li> <li>❑ After giving trainees a few minutes to review the Learning Objectives, have them find a partner and discuss:             <ul style="list-style-type: none"> <li>• Which Learning Objective they selected, and why they selected it.</li> </ul> </li> <li>❑ Then, as a large group, have one or two trainees volunteer why they chose the objective.</li> <li>❑ Explain to the trainee this module provides skills practice for legal procedure. New workers are often worried about their legal responsibilities, and testifying in court. It should also be noted this is an introduction to Legal Procedures and Responsibilities. Stress that consultation with county counsel and their supervisor will be essential as they start their practice, and move throughout their career in child welfare.</li> </ul>	<div style="background-color: #2c5e8c; color: white; padding: 10px;"> <p style="text-align: center; margin: 0;"><b>Learning Objectives</b></p> <ul style="list-style-type: none"> <li>• Review the Learning Objectives</li> <li>• Circle one that resonate most with them in their work in child welfare</li> <li>• Group report out of learning objectives</li> </ul> </div>		
<ul style="list-style-type: none"> <li>❑ The California Child Welfare Core Practice Model, practice behaviors, found in Segment 1B of the Trainee Guide. These practice behaviors should be familiar to the trainees as they were introduced to them in the eLearning section Social Worker Responsibilities. The CA Core Practice Model, practice behaviors support working with the court, agency representatives, and families for legal responsibilities are:             <ul style="list-style-type: none"> <li>• <i>Foundational</i> <ul style="list-style-type: none"> <li>○ Be transparent about the role of the court and child welfare agency.</li> <li>○ Show deference to Tribal Leadership and their titles in written and verbal communication.</li> <li>○ Model accountability and trust by doing what you say you're going to do,</li> </ul> </li> </ul> </li> </ul>	<div style="background-color: #2c5e8c; color: white; padding: 10px;"> <p style="text-align: center; margin: 0;"><b>California Child Welfare Core Practice Model</b></p> <table border="0" style="width: 100%; font-size: small;"> <tr> <td style="vertical-align: top;"> <b>Foundational:</b>  <ul style="list-style-type: none"> <li>✓ Be Transparent</li> <li>✓ Include Tribal Leadership</li> <li>✓ Model Accountability</li> <li>✓ Take Responsibility</li> </ul> </td> <td style="vertical-align: top;"> <b>Teaming:</b>  <ul style="list-style-type: none"> <li>✓ From the first contact</li> <li>✓ Facilitate early and frequent sharing of information</li> <li>✓ Ensure all team members understand the legal, regulatory and policy constraints.</li> </ul> </td> </tr> </table> </div>	<b>Foundational:</b> <ul style="list-style-type: none"> <li>✓ Be Transparent</li> <li>✓ Include Tribal Leadership</li> <li>✓ Model Accountability</li> <li>✓ Take Responsibility</li> </ul>	<b>Teaming:</b> <ul style="list-style-type: none"> <li>✓ From the first contact</li> <li>✓ Facilitate early and frequent sharing of information</li> <li>✓ Ensure all team members understand the legal, regulatory and policy constraints.</li> </ul>
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<p>be responsive (including submitting reports on time and being on time for appointments), and follow ICWA and other federal and state laws.</p> <ul style="list-style-type: none"> <li>○ Be aware of and take responsibilities for your own biases, missteps, and mistakes.</li> <li>● <i>Teaming Behaviors</i> <ul style="list-style-type: none"> <li>○ With the family’s permission, contact family, cultural, community and Tribal connections, and ask them to serve as team members as early as possible.</li> <li>○ Facilitate early and frequent sharing of information and coordination among parents, caregivers, and agency partners.</li> <li>○ Ensure all team members understand that legal, regulatory, and policy constraints may limit shared decision making options available to address the family members’ needs, including placement options, reunification, and service options.</li> </ul> </li> <li>▣ Trainees can expect to leave this training with introductory skills associated with legal procedures and responsibilities, using skills that are consistent with the California Child Welfare Core Practice Model, practice behaviors.</li> </ul>	
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**Transition to the next segment:** review of the Legal Procedures eLearning

## Segment 2: Legal Procedures eLearning Review

<b>Segment Time:</b>	30 minutes
<b>Activity Time:</b>	ACTIVITY 2A: Review of the Participant Guide from eLearning (30 minutes)
<b>Trainee Content:</b>	Segment 2
<b>Materials:</b>	Supplemental Handout Page 8-52, chart paper, different color pens or laminated stars (optional to color pens)
<b>Slides:</b>	7-8

### Description of Activity:

The trainer will conduct a review of the elements introduced in the Legal Procedures eLearning, which is a prerequisite for this class. The trainer should lift up, and be clear that this review and training is directly linked back to eLearning. The eLearning is the knowledge foundation for the skills based class.

### Before the Activity

- ❑ Review the Common Core 3.0 eLearning, Legal Procedures.
- ❑ Review the Trainee Guide answers in the supplemental handouts.
- ❑ Prepare seven chart paper sheets with the following seven headings: Initial/Detention Hearing, Jurisdiction Hearing, Disposition Hearing, Family Maintenance Hearing, Family Reunification Hearing, 366.26 Permanency Hearing, and Post Permanency Hearing. Post charts around the room. Make sure the hearings are not in order when you post them around the room. The trainer will solicit the larger group's participation in placing the chart paper in order by hearing types. The charts will be used as a visual reminder of information throughout the day.
- ❑ You can print out stars and laminate them, to handout to each group, for the "Star Performance" activity. These can be used in multiple classes, and will take the place of the trainees drawing stars during the activity.

### During the activity

- ❑ Explain to the trainees this will be a review of the key concepts they learned in the eLearning course, Legal Procedures. This section will be used to review the material and will be knowledge foundation for the rest of the day. It is imperative that the trainer make the link between the eLearning and the classroom.
- ❑ The trainer should ask the trainees to pull out their eLearning guide they took notes on during the eLearning course. If a trainee forgot to bring theirs with them, there is one provided in Segment 2 of the Trainee Guide. The trainees can fill in the blanks during the review.
- ❑ The trainer should solicit from the trainees the answers to questions 1-6 of the eLearning Guide. The trainer should be prepared to give the answers to questions if no one volunteers the answers.



- ❑ **Star Performance:** Based on the number of trainees and tables, the trainer will break the trainees up into seven groups. Once the groups are known, have each group go to the chart paper on the wall that is closest to their table. This portion of the activity will focus on questions 7-13 of the eLearning guide. The trainees can use their eLearning guide for this activity. The group has 5 minutes to determine the purpose of the hearing, time frame for the hearing, and burden of proof for that hearing. After the 5 minutes, they will move counter clockwise to the next hearing. They will have 3 minutes to make upgrades to the previous groups work, or if the previous work is complete, give it a star. After 3 minutes, they will move one more time counter clockwise to the next hearing. They will have 2 minutes to make upgrades to the previous two groups work, or if the previous groups work is complete give it a star. The trainer should then have each group report out on the purpose, time frame, burden of proof, and notice, starting with the initial hearing through the post permanency hearing. The trainer can have each group sit down, once they have reported out.
- ❑ The trainer will then have the trainees line the six hearings up on a single wall in the order of how hearings progress through court. The trainees also have a blank hearing graph in the Trainee Guide Segment 2 that they can fill in as well. The trainer will leave the chart paper on the wall for a visual representation of each hearing that the trainees can refer to throughout the day.

**Star Performance**



- **Small Group Activity:**
- Find the chart paper with a hearing on it closest to your table.
- Bring your eLearning Guides with you to the chart paper.
- Your group has 5 minutes to write out the purpose, time frame and burden of proof for that hearing.
- Rotate counter clockwise, your group has 3 minutes to review that hearing. If everything is correct give them a star. If not make corrections in a different color ink.
- Rotate one last time and repeat.
- As a table group report out on your original hearing.

**Transition to the next segment: Confidentiality**

## Segment 3: Confidentiality

<b>Segment Time:</b>	20 minutes
<b>Activity Time:</b>	ACTIVITY 3A: Confidentiality (20 minutes)
<b>Trainee Content:</b>	Segment 3
<b>Materials:</b>	None
<b>Slides:</b>	9-12

### Description of Activity:

The trainer will have the trainees in pairs brainstorm what they believe confidentiality means, then as a table group come up with their definition based on the brainstorming activity. The trainer will briefly review The Adoption Assistance and Child Welfare Act Public Law 96-272, and WIC Codes 362.5 and 827. The trainer will then briefly explain information that is permitted to be shared with the child, youth, and young adult's caregiver.

### Before the Activity

- ❑ Trainers should be familiar with The Adoption Assistance and Child Welfare Act Public Law 96-272, and California Welfare and Institutions Code Section 10850 and 827, and Penal Code section 11167.
- ❑ Trainers should be familiar with All County Information Notice No:I-05-14, Sharing Information With Caregivers found at [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2014/I-05\\_14.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2014/I-05_14.pdf)
- ❑ Ensure that there are copies of ACIN No:I-05-14 for each trainee.
- ❑ Trainer Note: In the Trainee Guide, there are 5 pages of information on confidentiality. It is not expected that you will cover all of it in the training, but it is information that the trainees can refer to once they leave the class.

### During the activity

- ❑ The trainer should explain to the trainees that everything they do in child welfare is protected by confidentiality. Therefore, it is important that everyone have a clear definition of what they believe confidentiality means, and what it means to child welfare social workers in their practice.
- ❑ Have the trainees pick a partner for this activity, for tables with odd numbers, a triad will work as well. Refer the trainees to Segment 3 of their Trainee Guide. As a pair, take 3 minutes to brain storm what confidentiality means to them. Then, as a table group take 5 minutes to define what confidentiality is.
- ❑ The trainer should then give the trainees the definition of confidentiality: Confidentiality involves a set of rules or a promise that limits access or places restrictions on certain types of information.

Confidentiality

- In pairs, brainstorm the definition of confidentiality
- As a table group use the brainstorming ideas to help develop a table definition of confidentiality



- ❑ The Adoption Assistance and Child Welfare Act (Public Law 96-272) restricts disclosure of information concerning individuals and families receiving services under the Act. States receiving funds under this Act are required to protect the confidentiality of persons receiving assistance, services, or money under the Act.
  - ❑ Refer the trainees to Segment 3 in their Trainee Guide. There are four pages of federal and state laws that govern confidentiality laws. In this course we will not cover all of these points, and the information is provided for the trainee to use in their practice. The trainer should emphasize that if there is a question on who they can consult with, release information to etc. then they should speak to their supervisor, county counsel, and consult their county policy.
- Trainer Note: It should be stressed that confidentiality should be adhered to at all times. Talking in the hallway at court, in the courtroom, in the office lobby etc., should be done with strict adherence to the laws of confidentiality, as you may think no one is listening, but someone could over hear what is being said.
- ❑ In this classroom we will pay special attention to Welfare and Institutions Code 827, and 362.5, Penal Code 11167 and ACIN: I05-14.

#### Adoption Assistance and Child Welfare Act (Public Law 96-272)

*Restricts disclosure of information concerning individuals and families receiving services under the act. States receiving funds under this Act are required to protect the confidentiality of persons receiving assistance, services, or money under the act.*

- ❑ In California, CWS records are made confidential under, Welfare and Institutions Code 362.5 and 827.
- ❑ Welfare and Institutions Code section 827, provides for the confidentiality of Juvenile Court records, and provides a list of those who may inspect/review the case files. This applies to all records filed with the court, including the petition, court reports, and medical reports. A few of those are:
  - Court Personnel
  - District Attorney
  - Child or youth subject to the hearing
  - Parents or guardians of child or youth subject to hearing
  - Attorneys for the parties
  - Law enforcement or probation officer who are actively participating in criminal or juvenile proceedings
  - Member of the child’s multi-disciplinary team
  - Family Law judge or commissioner
  - Court appointed investigators
  - State CDSS (for specific purposes)
- ❑ It is imperative that you consult the WIC 827 for a full list, and specific circumstances that allows you to release information. Your supervisor, county counsel and county policy is also a great resource if you have questions.
- ❑ Welfare and Institutions Code section 362.5, requires that the Clerk of the Superior Court open a separate court file for nonminor dependents under the dependency, delinquency, or transition jurisdiction of the court. It further limits who has access to the court file. A few of those are:
  - Nonminor dependent
  - Court personnel
  - District attorney if nonminor is a delinquent ward

#### CA Confidentiality

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                            |
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| <p><b>WIC 827</b></p> <ul style="list-style-type: none"> <li>• Court Personnel</li> <li>• District Attorney</li> <li>• Child or youth subject to the hearing</li> <li>• Parents or guardians of child or youth subject to hearing</li> <li>• Attorneys for the parties</li> <li>• Law enforcement or probation officer who are actively participating in criminal or juvenile proceedings</li> <li>• Member of the child’s multi-disciplinary team</li> <li>• Family Law judge or commissioner</li> <li>• Court appointed investigators</li> <li>• State CDSS (for specific purposes)</li> </ul> | <p><b>WIC 362.5 Non-Minor Dependents/Wards</b></p> <ul style="list-style-type: none"> <li>• Non-Minor dependent</li> <li>• Court personnel</li> <li>• District attorney if nonminor is a delinquent ward</li> <li>• Attorney for the non-minor</li> <li>• Judge</li> <li>• Social services or probation</li> <li>• County counsel</li> <li>• State CDSS (for specific purposes)</li> </ul> |
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<ul style="list-style-type: none"> <li>• Attorney for the non-minor</li> <li>• Judge</li> <li>• Social services or probation</li> <li>• County counsel</li> <li>• State CDSS (for specific purposes)</li> </ul>	
<p>❑ <b>It should be emphasized that the social worker should protect the confidentiality of the reporting party, and the name of the reporting party shall be redacted in all written reports except where Penal Code section 11167, allows for the release of the mandated reporters identity.</b></p> <p><b>Trainer Note: Mandated reporter names should not be in a court report and/or contact narrative.</b></p> <p>❑ Pass out Handout 1, ACIN:I-05-14. Lastly, the trainer should note that ACIN I:05-14, allows social workers to release information about the child to their caregivers. Federal law not only allows for this information to be released it is required, giving caregivers this information better enables them to take care of the children in their care. This ACIN does not cover NMDs as they are adults and have more control over the information released.</p> <p>❑ If the social worker has questions as to whom confidential information may be released to they should consult their agency policy, their supervisor, or county counsel.</p>	<div data-bbox="1182 300 1539 562"> <p>Additional Considerations</p> <ul style="list-style-type: none"> <li>• Mandated Reporters PC 11167</li> <li>• Caregivers ACIN I:05-14 Sharing Information with Caregivers</li> </ul>  </div>

**Transition to the next segment: ICWA and Legal Procedures**

## Segment 4: ICWA and Legal Responsibilities

<b>Segment Time:</b>	20 minutes
<b>Activity Time:</b>	ACTIVITY 4A: ICWA (20 Minutes)
<b>Trainee Content:</b>	Segment 4
<b>Materials:</b>	None
<b>Slides:</b>	13-16

### Description of Activity:

The trainer will briefly review Tribal sovereignty and the Tribe's relationship with child welfare including the legal system. The trainer will facilitate a review of "Active Efforts" as it relates to the Indian Child Welfare Act (ICWA) and the difference between Active Efforts and Reasonable Efforts. The trainees will then look at Active Efforts as it pertains to the program they will be working in, and develop an action plan to ensure they learn more about Active Efforts and Tribal sovereignty.

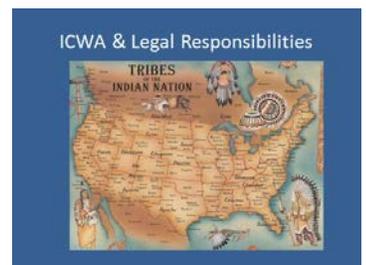
### Before the Activity

- ❑ The trainer should have a clear understanding of Active Efforts and Tribal sovereignty and how Tribal sovereignty influences the Tribal relationship with child welfare services.
- ❑ The trainer can take the Common Core 3.0 eLearning course, Introduction to ICWA, to ensure they are familiar with ICWA and working with Native American families.

### During the activity

- ❑ The trainer should remind trainees they may have already or will soon be taking the eLearning, Introduction to ICWA and classroom training day, ICWA and Working with Native American Families and Tribes.
- ❑ The trainer should ask the trainees the questions below, solicit their responses, and summarize the answers provided in the bullets below if the trainees do not have the answers. It is not expected that the trainer provide great detail in the answers, the trainees will have additional information provided to them in their ICWA training, and in various blocks throughout Common Core 3.0.
- ❑ When does ICWA apply?
  - The case should be treated as an ICWA case immediately if there is reason to know a child is or may be Indian. Remember, you cannot identify an Indian child solely by the way they may look or by their names, so a thorough inquiry should be made.

Trainer Note: reinforce it is never too late to inquire about ICWA status, inform the court of new information surrounding ICWA status, and/or notice according to ICWA. And it is never too late to partner with and include the Tribe when working with the family.



❑ What is Tribal Sovereignty?

- Tribes possess the inherent power of self-governance, which includes the right to make and enforce laws, raise revenue and determine its membership, among other things.
- Relationship between Indian Tribes and the United States is a political relationship.
- When it comes to child welfare, Tribes exercise their sovereignty in a number of ways. Through their social services programs and approved foster homes, Tribes designate agents to receive notice of dependency proceedings involving Indian children. Tribes may also define criteria for expert witnesses and participate in permanency planning (including Tribal Customary Adoption).
- Under ICWA, a Tribe has a right to notice, and to intervene in child welfare cases involving Indian children. This means a Tribe may request the case be transferred to its Tribal court, and if a Tribe has exclusive jurisdiction, the Juvenile Court must transfer the case. If the case remains in state court, the Tribe, through its representatives, may appear in court and represent the Tribe's interest.

Tribal Sovereignty

- Sovereignty is the right, responsibility, and authority to self govern
- Relationship between Indian Tribes and the United States is a political relationship
- Tribal government have the authority to make and enforce laws, raise revenue, and determine membership

❑ Active efforts vs. Reasonable efforts, Trainee Guide Segment 4:

- Reasonable Efforts – the Adoption Assistance and Child Welfare Act of 1980, requires that child welfare agencies make Reasonable Efforts to provide services that will help families remedy the conditions that brought the child and family into the child welfare agency. Generally, these efforts consist of accessible, available, and culturally appropriate services that are designed to improve the capacity of families to provide safe and stable homes for their children. The Act also requires State agencies to demonstrate that Reasonable Efforts have been made to provide assistance and services to prevent the removal of a child from his or her home and to make it possible for a child who has been placed out-of-home care to be reunited with his or her family.
- Any party seeking to effect foster care placement or termination of parental rights is required to satisfy the courts that Active Efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family and that those efforts were unsuccessful. The remedial services and rehabilitative programs must consider the prevailing social and cultural conditions and way of life of the child's Tribe. In this way, ICWA redresses the past practices that broke up Indian families and caused the unwarranted removal of hundreds of Indian children.
- Active Efforts require more than Reasonable Efforts and are specific to the given situation because these efforts are aimed at remedying the underlying problems that threaten the stability of the Indian family. The types of required services and duration for providing such services depends on the facts of the case, but should be culturally appropriate, including utilizing available resources of the child's Tribe, extended family, Tribal and other Indian social services agencies.
- Engaging in Active Efforts is important because it will 1) allow the Indian family to develop trust in the social worker, and Agency, and feel comfortable about their efforts to help keep the family together, rather than break it apart; 2)

Reasonable/Active Efforts

Reasonable Efforts

- Adoption Assistance and Child Welfare Act of 1980
- Reasonable efforts to provide services that will help families: Prevent and Remedy
- Services are accessible, available, and culturally appropriate services that are designed to improve the capacity of families

Active Efforts

- ICWA 1978
- Included reasonable efforts and is more than reasonable efforts
- Aimed at remedying the underlying problems that threaten the stability of the Indian family
- Utilizing available resources of the child's Tribe, extended family, Tribal, and other Indian social services agencies

<p>ensure ICWA compliance, reduce unnecessary appeals, and delayed permanency and 3) promote better outcomes for Indian children and their families.</p>	
<ul style="list-style-type: none"> <li>❑ Activity: Active Efforts Commitment <ul style="list-style-type: none"> <li>• The trainer should refer trainees to Segment 4A of the Trainee Guide, and briefly go over the Active Efforts requirements.</li> <li>• Have the trainees take 3 minutes to consider the Active Efforts listed, and circle Active Efforts that pertain to the program that they are assigned to. If they are not assigned to a program yet, have them circle Active Efforts that they want to learn more about.</li> <li>• Have the trainees write a commitment in the space provided of what they can to learn more about the Active Efforts that they circled.</li> </ul> </li> <li>❑ Reinforce that Active Efforts must be documented, in the written court report prepared by the social worker. Documentation must include what services were provided to the family, what engagement efforts were made to help the family complete the services, engagement efforts with the Tribe to ensure culturally relevant services are provided, what the results of those actions are, and how the family benefited from those services. Don't forget: the burden of proof is with the child welfare agency and the social worker as the agency's representative.</li> </ul>	<div style="background-color: #4a7ebb; color: white; padding: 10px;"> <p style="text-align: center; margin: 0;"><b>Active Efforts Commitment</b></p> <ul style="list-style-type: none"> <li>• Active efforts review</li> <li>• Consider which active efforts pertain to the program you will be working in, and circle each one</li> <li>• Develop a commitment that you are willing to make to help you increase your knowledge and/or ability to ensure you are providing active efforts when working with Native American Families</li> </ul> </div>

**Transition to the next segment:** Participants in the Courtroom

## Segment 5: Participants in the Courtroom

<b>Segment Time:</b>	10 minutes
<b>Activity Time:</b>	ACTIVITY 5A: Participants in the Court Room (10 Minutes)
<b>Materials:</b>	Chart pad, markers, tape Supplemental Handouts page 53-54
<b>Trainee Content:</b>	Segment 5A
<b>Slides:</b>	17

### Description of Activity:

The trainer will introduce the key participants they will work with in the court, by introducing the judge and providing tips for working with the court. The trainees will then work together as a table team and match courtroom participants with job descriptions.

### Before the Activity

- Have chart paper and markers available to chart.
- Have a set of Participants in the Courtroom Matching Cards for each table.

### During the activity

- The courts play a central role in making decisions regarding the protection of children who have been maltreated. Understanding this process and who the participants are in the process is crucial for success. Refer trainees to Segment 5A of the Trainee Guide.
- The judge is the center of the court process. The judge presides over court proceedings, conducts the trial impartially and in open court. The judge hears witness testimony, accepts or denies other evidence presented in the case, assesses the credibility of the witnesses, hears arguments of the parties and issues a ruling on the matter before the court based on the evidence and their interpretation of the law.
- The trainer should talk about the tips for working with the court, and specifically, the judge. The trainer can chart any other thoughts the trainees may have for working successfully with the court and/or judge. The trainer can also solicit worries about working with the court and/or judge, and facilitate a conversation aimed at increasing the trainees' level of confidence. Key will be to emphasize the importance of working in consultation with their supervisor and/or county counsel.
- Matching Activity: Ask the trainees to close their Participant Manual for this activity. The trainer will then provide each table with a set of matching cards, found in the Supplemental Handouts on page 53. Each table will have 5 minutes to match the job title with the description of the job. Once the 5 minutes is up



the trainer will provide the trainees as a large group activity the correct matches.

- ❑ The trainer should let the trainee know that each courtroom has a culture within the courtroom; rules, how to conduct oneself, expectations etc., and that they should consult with their supervisor and/or county counsel about the specific culture in the courtroom.
- ❑ As a point of transition, the trainer should explain that now the trainees know who the participants in the court are, and what their roles are, we will transition to the role of the social worker in preparing for court, attending court, and testifying in court.

**Transition to the next segment:** Guidelines for Providing Testimony

## Segment 6: Guidelines for Providing Testimony

<b>Segment Time:</b>	60 minutes
<b>Activity Time:</b>	ACTIVITY 6A: Guidelines for Providing Testimony (40 minutes) ACTIVITY 6B: Legally Sound Decisions (20 minutes)
<b>Materials:</b>	Chart pad, markers, tape  Video links: <i>My Cousin Vinny</i> Court Scene “The Defense Is Wrong” <a href="https://www.youtube.com/watch?v=CFdJza0AbeA">https://www.youtube.com/watch?v=CFdJza0AbeA</a>  Getting Ready for Court: Tips for New Social Workers Part 1 <a href="https://www.youtube.com/watch?v=kCkVArsby5g">https://www.youtube.com/watch?v=kCkVArsby5g</a>  Getting Ready for Court: Tips for New Social Workers Part 2 <a href="https://www.youtube.com/watch?v=nV6Wjr-qoFl">https://www.youtube.com/watch?v=nV6Wjr-qoFl</a>
<b>Trainee Content:</b>	Segment 6A
<b>Slides:</b>	18-20

### Description of Activity:

The trainer will provide guidelines for preparing for court, and providing testimony in court. The key point of this activity is to ensure that workers are prepared and at ease when testifying.

### Before the Activity

- ❑ The trainer should review the video, *My Cousin Vinny: “The Defense is Wrong”* (2:42 min)
- ❑ The trainer should view both videos, *Getting Ready for Court: Tips for New Social Workers Part 1* (3:27 min) and *2* (3:17 min).

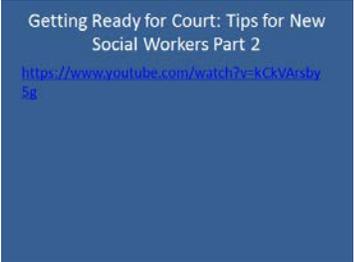
### During the activity

- ❑ The trainer will play the video clip *My Cousin Vinny* Court Scene “*The Defense is Wrong*” time 2:42.
- ❑ Have the table groups discuss what worked well about the testimony provided, and what were some of their worries.
- ❑ The trainer will solicit worries about the witness testimony. Some suggestions:
  - She is clearly unhappy about having to testify.
  - Her body language and facial expressions can be seen as disrespectful.
  - Flirtatious.
  - Overly animated.
  - At first, was reluctant to testify.
- ❑ The trainer will then solicit what worked well about the witness testimony: The

#### The Defense Is Wrong!

- My Cousin Vinny Court Scene: “The Defense is Wrong”
- <https://www.youtube.com/watch?v=CFdJza0AbeA>

<p>testifying Witness:</p> <ul style="list-style-type: none"> <li>• Knows her information.</li> <li>• States facts, not opinions.</li> <li>• Is self-confident.</li> <li>• Speaks clearly and precisely.</li> <li>• Makes eye contact.</li> </ul> <p>❑ The main point of the video is to demonstrate someone who is a witness in a particular topic can have confidence in providing testimony, just as a social worker becomes an expert on the families they work with. The social worker becomes an expert, and can testify with confidence.</p>	
<p>❑ The trainer should stress the importance of knowing the case, and being prepared to testify to the fact. With adequate preparation a social worker can have the same confidence in testifying.</p> <p>Trainer Note: Please remind the trainees that if it is not documented in the contact narrative and/or court report “if it is not documented it did not happen.” An example is, in preparing for court the social worker may remember providing a specific service to a family, but cannot see that it was documented. Therefore, they should use caution in testifying to this particular service. They should seek guidance of their supervisor and/or county counsel if this occurs.</p> <p>This also shows a discrepancy between what the social worker is saying and what is actually documented, which can be called into question of credibility by one or all of the attorneys.</p> <p>❑ The trainer will play the video <i>Getting Ready for Court: Tips for New Social Workers Part 1</i>. Make sure to stop the video if streaming from YouTube or it will play Part 2 as well. Angie Stephenson is the Assistant Attorney General for Child Welfare with North Carolina Department of Justice, and provides key tips to new social workers when they are preparing for court:</p> <ul style="list-style-type: none"> <li>• Block out time to prepare for the hearing,</li> <li>• Make notes on index cards specifically around key dates and components of the case (trainees should speak to their county counsel to make sure they want index cards brought to court or their actual records),</li> <li>• Roles the social worker has in court, including educator of child welfare practices and agency representative. A social worker becomes an educator by testifying and explaining to the court about what happened in the case and the facts of what has happened up until the hearing. As a representative for themselves and the agency, anything they say or do is a reflection on themselves and the agency.</li> </ul> <p>❑ The trainer should refer the trainees to Segment 6A of the Trainee Guide, and facilitate a discussion around key points in preparing for testimony:</p> <ul style="list-style-type: none"> <li>• Become thoroughly familiar with the facts of the case, and with the case file.</li> <li>• Meet with county counsel to discuss the case and the particulars of the testimony, especially any troublesome aspects.</li> <li>• Identify key facts or points the different attorneys may want to elicit.</li> <li>• Discuss with county counsel the expected cross examination questions.</li> </ul>	

<ul style="list-style-type: none"> <li>• Outline the history of the case, including important dates and events.</li> <li>• Summarize the services offered, the response to the services provided and the outcomes.</li> <li>• Prepare to answer questions about reasonable efforts (or Active Efforts for an ICWA case).</li> <li>• Talk with any previous social workers about their involvement with the family.</li> </ul> <p>❑ Always consult with your supervisor.</p>	
<p>❑ The trainer will play the video <i>Getting Ready for Court: Tips for New Social Workers Part 2</i>. Angie Stephenson, is the Assistant Attorney General for Child Welfare with North Carolina Department of Justice, and provides key tips to new social workers when they are testifying in court:</p> <ul style="list-style-type: none"> <li>• Get to know the courtroom, sit in to watch hearings. Ask questions of other social workers or county counsel,</li> <li>• Understand the etiquette or protocol of the courtroom in which you are appearing.</li> <li>• Stay calm and take your time with your answers.</li> <li>• It is normal to be nervous.</li> </ul> <p>❑ The trainer should refer the trainees to Segment 6A of the Trainee Guide, and facilitate a discussion around key points in providing testimony:</p> <ul style="list-style-type: none"> <li>• Be confident and self-assured.</li> <li>• Listen carefully to the question, pause before answering and answer it directly.</li> <li>• Ask for a question to be repeated if it is difficult to hear or understand, but do not make a habit of doing so.</li> <li>• Answer only the question asked.</li> <li>• State facts, not opinions or conclusions (e.g. instead of saying the mother was uncooperative or resistant to services, state exactly what she said or did).</li> <li>• Do not give an opinion, unless it has been requested.</li> <li>• State whether an answer is known or cannot be recalled.</li> <li>• If you do not know the answer to the question, simply state that.</li> <li>• Speak slowly, clearly, distinctly, and loudly enough to be heard by everyone in the courtroom.</li> <li>• Make eye contact with the person asking the question and the judge.</li> <li>• Be aware of your verbal and non-verbal communication.</li> <li>• Refer to the case file only as necessary in order to recall information.</li> <li>• When an attorney objects to a question or moves to strike an answer, wait until the judge rules on the motion before speaking. If the judge denies the objection, then you must answer the question asked. If the judge agrees with the objection, you do not need to answer the question. However, if the attorney restates the question, and if it is not objected to as restated then you must answer the question.</li> </ul>	

Trainer Note: The trainer should remind social workers that they are agents of the agency that they work for. They may not always agree with the recommendation, but they should support the recommendation. They should also consult with their supervisor and/or county counsel when there is a discrepancy for guidance.

- ❑ The trainer should have 10 minutes to discuss concerns that the trainees may have about preparing for court and testifying in court, and help the trainees develop their next steps for building confidence when preparing for court testimony.

## ACTIVITY 6B: Legally Sound Decisions

<b>Activity Time:</b>	20 minutes
<b>Materials:</b>	Chart pad, markers, and tape (if doing Group Agreements) Supplemental Handouts page 57-58
<b>Trainee Content:</b>	Segment 6B
<b>Slides:</b>	21

### Description of Activity:

This activity will explore biases the trainees may have, and will reinforce the importance of making sound legal decisions based on facts. Trainer Note: WIC Section 361.5 (b) is used as the foundation for this activity, but the reason for the activity is to make legally sound decisions. Everyone has their own reasons for why families should not be able to reunify, but it is the legal reasons that we should use to base our decisions. We should not use our own beliefs when making recommendations to the court, providing fact based legally sound recommendations is imperative. This activity helps to demonstrate the differences between the two.

### Before the activity

- ❑ The trainer should be familiar with WIC 361.5(b) reasons for non-reunification services.
- ❑ Make copies of supplemental hand out 361.5, Reasons for Non-Reunification, page 57-58, to provide to the trainees. This should be passed out after the tables have been able to brainstorm and report out on the reasons for non-reunification they developed. The point is to show how biases can creep into decisions we make, therefore, making sure we are making legally sound decisions by consulting the law and regulations that guide our practice.

### During the activity

- ❑ Providing facts when making case recommendations, and testifying in court is critical because it provides the judge the rationale for the decisions and recommendations the social worker and agency has made, and allows the court to make sound legal decisions.
- ❑ Pass out chart paper to each table, and give 5 minutes to chart the reasons they believe families should not receive reunification services.
- ❑ Once the trainees chart their reasons, have each table put their chart paper on the wall, and report out the reasons. To assist the report out, have each table build upon the previous table's reasons, and only report what has not already been reported.
- ❑ The trainer should then pass out 361.5 (b), the legal reasons parent(s)/guardian(s) can be denied reunification services.
- ❑ The trainer should highlight the difference between the reasons the trainees gave and the reasons that are legally permissible for not offering reunification services.
- ❑ Key trainer points:
  - It is okay to have our own opinions; however, they cannot impact your

#### Activity

- As a table write all of the reasons that you believe families should not be offered reunification services.
- Report out.
- Pass out Handout 2.
- Journal the differences between why you originally believed families should not be offered reunification services, and what is legally allowed.
- Specifically identify strategies you can use to ensure you are making legally sound recommendations that are free of bias.



<p>decision-making process,</p> <ul style="list-style-type: none"> <li>• Decisions must be made that are legally sound, and follow the laws for dependency hearings,</li> <li>• Bias is sometimes implicit; therefore, being aware of individual biases and knowing the legal decisions that need to be made will help to make decisions that are legally sound based on facts, not opinions and/or bias,</li> <li>• Be aware that the attorney for the parents and the judge are looking for discrepancies and social worker biases; if you have a bias this can show up in your documentation; remember that everyone deserves fair and equitable treatment,</li> <li>• Key is being aware of personal biases and opinions that may impact our decision-making process, and being able to process those biases and opinions with the supervisor to ensure legally sound decisions are made.</li> </ul> <p>❑ Remind the trainees there are tools and processes that help us make decisions: teaming, child and family teams, SOP, and SDM are a few.</p> <p>❑ Have the trainees turn to Segment 6B in their Trainee Guide, and journal the original reasons for non-reunification originally charted by the table group, and the actual legal reasons for non-reunification. What are some strategies that they can use to ensure they are making legally sound recommendations free of bias?</p>	
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**Transition to the next segment:** Preparing for Court

## Segment 7: Preparing for Court

<b>Segment Time:</b>	80
<b>Activity Time:</b>	40 minutes ACTIVITY 7A: Hearing Outcomes and Minute Orders (40 minutes) ACTIVITY 7B: Understanding the Purpose of Hearings, and Preparing for Hearings (40 minutes)
<b>Trainee Content:</b>	Segment 7A
<b>Materials:</b>	Handout 3: CR Legal Procedures Detention Minute Order Handout 4: CR Legal Procedures Jurisdiction Minute Order Handout 5: CR Legal Procedures Disposition Minute Order Handout 6: CR Legal Procedures Removal from Custodial Parent
<b>Slides:</b>	22-23

### Description of Activity:

The trainees will use the handouts and the Trainee Guide to answer questions to help them become familiar with minute orders, and findings.

### Before the activity

- ❑ Be familiar with the Trainee Guide, and the outcomes of each of the hearings.
- ❑ Be familiar with the Findings and Orders commonly referred to as minute orders.
- ❑ Follow the link <http://www.courts.ca.gov/documents/jv410.pdf> for the Findings and Orders after the Detention Hearing, and have on the screen to help review with the trainees.
- ❑ The Findings and Orders (minute orders) can be printed and passed out to each trainee, or booklets can be created and kept in the training room to be reused in subsequent training.

Trainer Note: In the Trainee Guide Segment 7A contains a lot of information on preparing for court, and information about the various Juvenile Court proceedings. It is not expected that you will cover all of it in the training, but it is information that the trainees can refer to once they leave the class.

## During the activity

- ❑ Each hearing has a purpose, burden of proof, and outcomes. Outcomes of hearings, and Findings and Orders (minute orders) are intimately related to each other. The Findings and Orders (minute orders) is the report from the court of what happened at the hearing, the findings and orders made, and the outcome of the hearing.
- ❑ The trainer should follow the link on the Power Point slide, and bring up the Initial/Detention Findings and Orders after Detention Hearing JV-410 document, to use to review with the trainees. The Initial/Detention Hearing is the first hearing in the court process. When you are preparing for the Initial/Detention hearing you will not have a minute order to review as this is the first hearing. There are two exceptions, 1) if the family has previously received court ordered services there may be minute orders available from the previous dependency, or 2) if the child(ren) are in an open dependency, receiving family maintenance services, and they have been removed from the parents, there will be minute orders available to review.
- ❑ For all subsequent hearings, it is critical to know what the outcomes of the previous hearing was, the courts findings and orders made, when the next hearing is, and what the agency needs to do prior to the next hearing. It is literally the road map to the next hearing and is the foundation of the court case.

Trainer Note: Explain if the social worker is assigned a new family and there has been a court hearing, they must review the Findings and Orders (minute orders). If the previous worker agreed to do something, they must make sure there is documentation that the worker did what they agreed to do. If not the new social worker who has the case, must make sure that what was agreed to is done, and documented. Once you have been assigned the family and case file, you assume responsibility for the case.

- ❑ The trainer should now pass out the pass out the Findings and Orders after Detention Hearing (minute orders).
- ❑ The trainer should note that the format and structure of the Findings and Orders (minute orders) can vary from county to county, but what does not change is the minimum court findings and orders that need to be made. Although the minute order can look different, the content should be similar.
- ❑ The trainer should explain each section of the minute order to the trainee, and be prepared to answer their questions. The purpose of this activity is to walk the trainees through what the Findings and Orders (minute orders) look like, and the information that they contain. This will prepare them for the next part of the activity in which they will review a Jurisdictional and Dispositional Findings and

### Minute Orders

<http://www.courts.ca.gov/documents/jv410.pdf>

### Minute Order Activity

- What is the county of residence?
- What allegations was found true?
- Who did the court offer services to?
- Does ICWA apply?
- Are there any other orders?
- When is the next hearing?
- What type of hearing is next?

Orders (minute orders) and answer questions as a table group.

❑ The trainer should refer the trainees to Segment 7A of the Trainee Guide, and point out the purpose and outcomes of the hearing listed in the participant manuals, also what they will find in the minute order. The purpose and outcomes are the basis for each hearing. The Findings and Orders (minute orders) is the social worker's roadmap to the next hearing. It is used to link each hearing together. When a worker is clear about what happened at the last hearing, what the time frames are for the next hearing and the purpose of the hearing they are better prepared to work with families and gather the information needed to meet the court requirements. This section of the Trainee Guide will be used for the activity in 7B; therefore, explaining the purpose and outcomes is important for the current activity, 7A, but also Activity 7B.

❑ The trainer should pass out the Findings and Orders after Jurisdiction Hearing and Dispositional Hearing. Have the tables work as a group to answer the following questions:

- What is the county of residence? **Any County**
- What allegation(s) was found true? **B1, B2**
- Who did the court order services for? **Mother and Father**
- Does ICWA apply? **No**
- Are there any other orders? **Yes, housing**
- When is the next hearing? **September 24, 2016**
- What type of hearing? **Six month 366.21(e)**

Trainer Note: Since there is an extra order that was not part of the case plan (housing) the social worker should be prepared to report to the court at the next hearing what the social worker did to assist with the housing issue, and what the outcomes were.

❑ Once the tables have answered the questions as table groups, the trainer will provide them with the correct answers. If time permits as a large group activity, the trainer can ask for each table to answer a particular question, or the trainer can just provide the answers.

## ACTIVITY 7B: Understanding the Purpose of Hearings, and Preparing for Hearings

<b>Activity Time:</b>	40
<b>Trainee Content:</b>	Segment 7A & B
<b>Materials:</b>	Handout 3: CR Legal Procedures Detention Minute Order Handout 4: CR Legal Procedures Jurisdiction Minute Order Handout 5: CR Legal Procedures Disposition Minute Order Handout 6: CR Legal Procedures Removal from Custodial Parent Handout 7: CR Legal Procedures Court Report  Supplemental Handout page 57-58
<b>Slides:</b>	24

### Description of Activity:

The trainees will use the handouts and court report to help understand the purpose of the hearing, and to help them better prepare for the hearing.

### Before the activity

- ❑ Be familiar with the Trainee Guide, and the purpose and outcomes of the Welfare and Institution Code section 366.21(2) Six-Month Hearing.
- ❑ Be familiar with the court report.
- ❑ The court report can be printed and passed out to each participant, or booklets can be created and kept in the training room to be reused in subsequent training.

### During the activity

- ❑ Remind participants earlier in the day they watched a video *Getting Ready for Court: Tips for New Social Workers*. In the video, several tips were given that they will be using during this activity. There are additional tips found in the Trainee Guide, Segment 6:
  - Become thoroughly familiar with the facts of the case, and the case file. You should calendar time to review the report, and case file. Give yourself enough time to gather any additional information that you may need. Example: You have reviewed the previous minute order, and see that there is a special order for housing that the court made at the detention hearing. You do not see any documentation that the previous worker had followed through with providing assistance to the family to help with services. By preparing early for court, you give yourself enough time to be able to provide housing services to the family, and make sure you document those services. This way you are able to report to the court that an order the court made was followed up with, what was done, and what the results are.
  - Identify key facts and points about the case.
  - Outline the history of the case, including important dates and events.
  - Summarize the services offered, responses from service providers, and outcomes of services.

#### Understanding the Purpose of Hearings and Preparing for Hearings

- Trainee's Guide, Segment 7A & B
- Handouts 3 – 7
- Individually read the status review report
- As a table, answer the questions in Segment 7B of the Trainee's Guide
- As a large group, report out the answers

<ul style="list-style-type: none"> <li>• Were Reasonable Efforts made, and if the case is an ICWA case, were Active Efforts made?</li> </ul> <p>❑ In addition to the tips provided by the video and in the Trainee Guide, there are additional items you should keep in mind as you are preparing for court.</p> <ul style="list-style-type: none"> <li>• What is the purpose of the hearing?</li> <li>• What are your recommendations?</li> <li>• What evidence is needed to meet the burden of proof?</li> <li>• What are the potential outcomes?</li> <li>• Has everything been documented? (If it is not documented, it did not happen)</li> </ul> <p>❑ The key purpose of this activity is for trainees to identify the purpose of the hearing, look at the evidence they have, and critically think about additional information they may need for court testimony. By using these tips and adequately preparing the trainees will:</p> <ul style="list-style-type: none"> <li>• Be able to answer they key question at all hearings: Can the child be safely returned to the parent/guardian? If not, what is the detriment? And what have you as the social worker done to help the parent or guardian to resolve the detriment?</li> <li>• Be confident and self-assured when presenting testimony,</li> <li>• Be professional in their presentation,</li> <li>• State facts about the case and history,</li> <li>• Feel confident when being cross-examined.</li> </ul> <p>❑ Pass out the Status Review Report. This status review report is the same family used in the Findings and Orders (minute orders) from Activity 7A, and the Status Review Report.</p> <p>❑ Set up the activity by telling the trainees that they have been assigned a new family that is in reunification services, and their hearing is three weeks away. The previous social worker left the Department, but was able to complete the court report on Jazmine Isa Infant prior to leaving. Your supervisor meets with you, and tells you that there have been a few problems with services for this family. She has asked you to make sure you are prepared for testimony, and to meet with county counsel prior to the hearing. The good news is that you have three weeks to prepare.</p> <p>❑ Once each of the trainees has read the report, as a table group they should turn to Segment 7B, and follow the directions on the worksheet, and answer the questions. The suggested answers for the worksheet are found in the Supplemental Handouts on page 57-58 of this guide.</p> <p>❑ Remind trainees that they are reviewing the “strengths” of the court report and not the family’s strengths.</p> <p>❑ The trainer should review the answers as a larger group, by soliciting answers from the larger group, and facilitate a discussion about the preparation for hearings, making sure they are prepared, by knowing the purpose, evidence required, and potential outcomes.</p> <p>❑ Trainer Note: If during the review of the family’s case file you noticed that there has not been a family team meeting or a child and family team meeting, you</p>	
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should ask to have one.

- ❑ By adequately preparing the trainee can build confidence in appearing in court and providing testimony at court. It does not mean they will not be nervous, they may in fact be very nervous, but they will be armed with the facts of the case, and prepared to testify.
- ❑ Ask the participants to think back to the video My Cousin Vinny – What was the witness expertise? Cars, and it was clear she knew about cars. You are experts in social worker practice, providing services to family, and working with families. You can confidently provide testimony about your expertise.
- ❑ No one other than the family knows as much about the family as you do, have confidence in this knowledge and your knowledge as a social worker and your practice.

**Transition to the next segment:** Engaging Families in the Court Process

## Segment 8: Engaging Families in the Court Process

<b>Segment Time:</b>	40 minutes
<b>Activity Time:</b>	ACTIVITY 8A: Engaging Families in the Court Process (40 minutes)
<b>Trainee Content:</b>	Segment 8
<b>Materials:</b>	Video Juvenile Dependency Court Orientation 13:43 min <a href="http://www.courts.ca.gov/cfcc-dependency.htm">http://www.courts.ca.gov/cfcc-dependency.htm</a>
<b>Slides:</b>	25-26

### Description of Activity:

The trainees will role play as if they are speaking to the parents, children, youth, nonminor dependents, and caregivers about the recommendations they will be making to the court.

Close the segment with the video: *Juvenile Dependency Court Orientation* 13:43 min.

<https://www.youtube.com/watch?v=Y7Xz4QdNoEY>

### Before the Activity

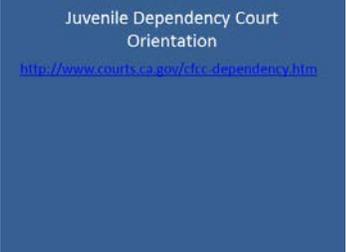
- ❑ Be familiar with the Juvenile Dependency Court Orientation video, and have it cued and ready to play.

### During the Activity

- ❑ The California Core Practice model requires that social workers:
  - Be transparent about the role of court and child welfare agency,
  - Show deference to Tribal Leadership and titles in written and verbal communication,
  - With the family's permission, contact family, cultural, community and Tribal connections, and ask them to serve as team members as early as possible.
- ❑ Social workers need to engage the family from the first knock on the door and throughout the case. Sometimes this requires having difficult conversations with the parents and caregivers. Just because the conversations are difficult, does not mean that we don't have them.
- ❑ Don't forget that teaming allows us to talk about worries that we have, and as a team develop recommendations as to what needs to happen next. Sometimes recommendations need to be made because of court time frames, and although we want to include the family in the decisions, time frames can dictate what our recommendations are. It is important to talk to parents and/or guardians about potential recommendations prior to the meeting. They should not hear about your worries for the first time in the meeting.
- ❑ Refer trainees to the Trainee Guide Segment 8.
- ❑ Have the group self-select into triads. Each triad will have three role plays, and each trainee will have the opportunity to role play the social worker, parent or caregiver, and observer. Each round will be 5 minutes, 3-minute role play, and 2-

#### Engaging Families in the Court Process

- Role Play
- Trainee's Guide, Segment 8
- Three roles, social worker, parent/caregiver and observer
- Three rounds, each trainee will play each role once
- Report out

<p>minute for the observer to provide strength based feedback.</p> <ul style="list-style-type: none"> <li>❑ Don't forget to explain to the parent/caregiver what type of hearing it is, and what the recommendations are.</li> <li>❑ Once the role play is completed, ask the trainees how it felt to provide information to the parents/caregiver.</li> </ul> <p>Trainer Note: Round 3, when explaining to the aunt/caregiver the decision to return the child to the mother, one should explain that the law requires that we must return unless we can prove detriment to the child. It is sometimes hard on the caregivers and difficult to understand, but family reunification is the first preference for reunification.</p> <ul style="list-style-type: none"> <li>❑ Summarize that transparency is important in the court process, even when the decisions are difficult to understand. It is only fair the parents, and caregivers know what the court process is, and what the department recommendations will be. With the parent's permission some of these difficult conversations can occur in a team setting with the support of the family team.</li> </ul>	
<ul style="list-style-type: none"> <li>❑ Play the Juvenile Dependency Court Orientation video; remind the participants that this is a video that they can recommend to families to view as they prepare for their hearings.</li> </ul>	

**Transition to the next segment:** Wrap-up, questions, and Post-test

## Segment 9: Wrap-up and Post-Test

<b>Segment Time:</b>	40 minutes
<b>Activity Time:</b>	ACTIVITY 9A: Wrap up, Questions (5 Minutes) ACTIVITY 9B: Post-test (35 minutes)
<b>Trainee Content:</b>	None
<b>Materials:</b>	Common Core 3.0 Preliminary Materials Post-test questions Answer sheet for trainees Participant Satisfaction Survey
<b>Slides:</b>	27

### Description of Activity:

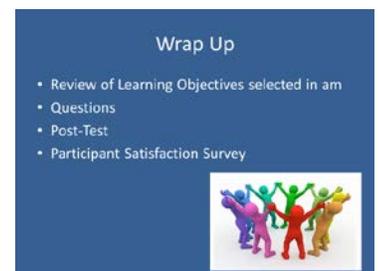
The trainer will ask trainees if there are any last-minute questions, and provide the Participant Satisfaction Survey.

### Before the Activity

- ❑ Have Participant Satisfaction Surveys available.

### During the Activity

- ❑ The trainer should circle back to activity 1B, when the trainees were asked to circle learning objectives that they wanted to learn more about, or were concerns about. Be prepared to lift the workers up, and build their confidence in their practice. Also, if they are concerned refer them to:
  - Refer them to RTA for additional training resources,
  - Refer them to their supervisor for assistance in preparing for court,
  - Refer them to county counsel for additional assistance,
  - If allowed by the court, sit in on court hearings to be comfortable with the court process,
  - Always, make sure to review the family case file to build confidence in the case,
  - Always, have team meetings, the family will be a valuable resource.
- ❑ Ask the trainees if they have any other questions. Reinforce to trainees that they are part of a larger team composed of many team members, two of which is their supervisor and county counsel who will help them with the court process. Reaffirm that they will not be alone through this process.



## ACTIVITY 9B: Post-Evaluation

<b>Segment Time:</b>	35 minutes
<b>Materials:</b>	Common Core 3.0 Preliminary Materials Post-Evaluation questions Answer sheet for participants
<b>Trainee Content:</b>	None
<b>Slides:</b>	

### Description of activity

The trainer will proxy the post-evaluation with participants.

### Before the activity

Ensure that there are enough copies for all trainees of the respective materials noted below.

The documents and all up-to-date evaluation materials are located on the CalSWEC's Canvas Platform found under CalSWEC's [Child Welfare In-Service Training Evaluation](#) page. **Contact your respective RTA/UCCF point person to request this information and to ensure you have the most up-to-date evaluation materials.** All materials are subject to change, so check in frequently.

### During the activity

#### □ Post-evaluation instructions FOR TRAINERS

To complete the post-evaluation activity you should have the following materials:

- Informed Consent Document
- Document with County and Training Site Codes
- Answer Sheet(s)
- Post-Evaluation Tool(s) (The electronic version of this evaluation is provided. Contact your respective RTA/UCCF point person to request this information.)

*Hand out the Informed Consent form, County and Training Site Codes document, and Answer Sheet to Trainees.*

**Disclaimer:** *Trainees who do not wish to participate in the research study do not have to enter their unique ID Code.*

Begin Verbal Directions –

**We are preparing to initiate the post-evaluation. This evaluation is not used to assess your performance, but rather to inform our continued improvement of the curriculum. Please take a few minutes to review the Informed Consent form and to complete your Answer Sheet. If you do not have an Informed Consent form, County and Training Site Codes document, or Answer Sheet, or if you have questions, please raise your hand.**

- **30 minutes for exam** – Taking the post-evaluation provides data on how the curriculum can be improved.

*When trainees have completed their Answer Sheets, provide them with the post-evaluation.*

Verbal Directions (Continued) –

**We are now ready to begin the post-evaluation. The purpose of this post-evaluation is to help us identify areas within the curriculum that can be improved. The evaluation is composed of 30 knowledge items which will cover today’s content.**

**When answering a question please make sure you completely fill in the circle with heavy, dark marks. Any stray marks can affect processing. Are there any questions? If there are no (additional) questions, please begin.**

NOTE TO TRAINERS: If you have trainees present who you think qualify for ESL accommodations, please be attentive to their progression throughout the evaluation activity so to provide any assistance that they may need.

- At the end of 30 minutes (or when all trainees appear to have completed the evaluation),** walk around and collect the Answer Sheets and post-evaluations. Check trainees’ Answer Sheets to make sure that they were completed correctly.
- Place the Answer Sheets in the provided envelope and complete the Cover Sheet provided for submission to CaISWEC.
  
- Share feedback via our Web-Form:  
(<https://app.smartsheet.com/b/form?EQBCT=9552be804ddd480ea8458a8f63d6a0f7>). This information will be used to track themes in concerns, issues, or topics raised for future evaluation and curriculum improvement.
  
- Pass out Participant Satisfaction Surveys for trainees to complete, and thank them for attending the training.

## Supplemental Handouts

### Segment 2 Legal Procedures eLearning Review – Participants Guide

The answers to the Trainee Guide are in red. It is not expected the trainer covers every item in detail; the answers were taken from the eLearning for the convenience of the trainer.

1. What are two websites you can use to look up legislative information, and information about the courts?  
The California Legislative Information website and The California Courts: The Judicial Branch of California website.
2. In your own words define the following terminology:
  - a. Family Maintenance: Provides time limited protective services to families in crisis to prevent or remedy abuse, neglect, allowing the social worker to work with the family while keeping the children home.
  - b. Family Reunification: Provides time limited intervention that supports services to parents/guardians and children who have been removed from the home to make the family environment safe for the child(ren) to return.
  - c. Permanent Placement: Provides services that are meant to ensure that children from families where there has been abuse and neglect can grow up in a permanent, safe, and secure living arrangement.
  - d. Reasonable Efforts: Reasonable Efforts – the Adoption Assistance and Child Welfare Act of 1980, requires that child welfare agencies make Reasonable Efforts to provide services that will help families remedy the conditions that brought the child and family into the child welfare agency. Generally, these efforts consist of accessible, available, and culturally appropriate services that are designed to improve the capacity of families to provide safe and stable homes for their children. The Act also requires State agencies to demonstrate that Reasonable Efforts have been made to provide assistance and services to prevent the removal of a child from his or her home and to make it possible for a child who has been placed out-of-home care to be reunited with his or her family.
  - e. Active Efforts: are required by the Indian Child Welfare Act and are intended to remedy the basis for the child dependency proceedings. Efforts are aimed at remedying the underlying problems that threaten the stability of the Native American family. The types of required services and duration for providing services depends on the facts of the case, but should be culturally appropriate, including, activities available resources of the child’s Tribe, extended family, Tribal and other Native social service agencies.
3. There are six permanent placement options, list them in order of preference:
  - a. Reunification
  - b. Adoption/Tribal Customary Adoption
  - c. Legal Guardianship
  - d. Placement with a Fit and Willing Relative
  - e. Another Planned Permanent Planned Living Arrangement
  - f. ICWA Placement and Permanency
4. What is “Burden of Proof”? The Burden of Proof rests on the party filing the petition or complaint, it can be further defined as the duty placed upon a party to prove or disprove a disputed fact. In the Juvenile Dependency Court, it is the agency that is bringing the allegations against the parents and/or caregiver, normally the child welfare agency. It is the obligation of the child welfare agency to prove its case at each

hearing. In other words, the child welfare agency must provide evidence to the court at each hearing based on the standard of evidence required for the hearing type.

5. What are the four standards of evidence?
  - a. Prima Facie
  - b. Preponderance of Evidence
  - c. Clear and Convincing Evidence
  - d. Beyond a Reasonable Doubt
6. The Petition:
  - a. Purpose, the petition is filed with the juvenile court. It contains facts, objectively and separately stated facts to support the allegations of abuse and/or neglect. It is a legal document.
  - b. Time Frame, the petition must be filed within 48 hours of when the child(ren) were removed from their parent(s)/guardian(s).
  - c. Burden of Proof, Child Welfare Agency/Social Worker, prima facie
7. The Initial Hearing:
  - a. Purpose, is for the social worker to report to the court the reasons why the child was removed from the physical custody of the parents, the need if any for continued detention, the available services and referral methods to those services that could facilitate the return of the child(ren) to the custody of the parent or guardian, and if there is a relative who are able and willing to take temporary custody of the child.
  - b. Time Frame, as soon as possible, but in any event before the expiration of the next judicial day after the petition has been filed with the court.
  - c. Burden of Proof, Child Welfare Agency/Social Worker
8. Jurisdiction Hearing:
  - a. Purpose, the court shall consider only the question if the child is a person described by WIC 300, or if the petition is true.
  - b. Time Frame, upon filing the petition, the hearing shall be set within 30 days, unless the child is detained in custody, if the child is detained the hearing must be held within 15 court days.
  - c. Burden of Proof, Child Welfare Agency/Social Worker
9. Disposition Hearing:
  - a. Purpose, After the court finds that the child is a person described in WIC section 300, the court shall hear evidence on the proper disposition of the child, in other words what will happen to the child.
  - b. Burden of Proof, Child Welfare Agency/Social Worker
10. Family Maintenance Hearing:
  - a. Purpose, to see how the child(ren) are doing, how the social worker is working with the family, and how the parent(s)/guardian(s) are doing with their court ordered case plan.
  - b. Time Frame, every six months from the date of the Jurisdiction/Disposition Hearing.
  - c. Burden of Proof, Child Welfare Agency/Social Worker

TRAINER NOTE: Emphasize that at each hearing (except .26), the court shall consider if the child can return to the home of the parent/guardian. The court shall consider the evidence, then consider returning the child, if they cannot return they must state what the substantial risk of detriment is to the safety, protection, physical or emotional well-being of the child. It is the social worker's assessment, and report to the court that helps form the decision.

**11. WIC 366.21 (e) Family Reunification Hearing:**

- a. **Purpose,** The continuing necessity of the placement, Extent of the agency services provided that help form the Reasonable Efforts, or Active Efforts in the case of Indian child(ren). If the recommendation is not to return the child(ren), the report shall say specifically why the return would be detrimental; whether there should be limitation of the rights of parent(s) or guardian to make educational decisions for the child(ren); and the appropriateness of development and maintenance of sibling relationships. The extent of progress that has been made toward alleviating or mitigating the cause necessitating placement in foster care. For each youth 16 years of age or older, the court shall also determine whether services have been made available to assist him or her in making the transition from foster care to adulthood, if the review hearing is the last review hearing to be held before the child reaches age 18 the court shall conduct the hearing pursuant to Section 366.31 or 366.32 of the Welfare and Institution Code. The court shall project a likely date by which the child may be returned to and safely maintained in the home or placed for adoption. Tribal customary adoption in the case of an Indian child, legal guardianship, placed with a fit and willing relative, or in another planned permanent living arrangement.
- b. **Time Frame,** every six months from the date of the Jurisdiction/Disposition Hearing.
- c. **Burden of Proof,** Child Welfare Agency/Social Worker

**12. WIC 366.21 (f) Permanency Hearing :**

- a. **Purpose,** The continuing necessity for all appropriateness of the placement, Extent of the agency and willing relative, or in another plan Reasonable Efforts, or Active Efforts in the case of Indian child(ren), If the recommendation is not to return the child(ren), the report shall say specifically why the return would be detrimental; Whether there should be limitation of the rights of parent(s) or guardian to make educational decisions for the child(ren); and the appropriateness of development and maintenance of sibling relationships, The extent of progress that has been made toward alleviating or mitigating the cause necessitating placement in foster care, For each youth 16 years of age or older, the court shall also determine whether services have been made available to assist him or her in making the transition from foster care to adulthood, If the review hearing is the last review hearing to be held before the child reaches age 18 the court shall conduct the hearing pursuant to Section 366.31 or 366.32 of the Welfare and Institution Code, The court shall project a likely date by which the child may be returned to and safely maintained in the home or placed for adoption, Tribal customary adoption in the case of an Indian child, legal guardianship, placed with a fit and willing relative, or in another planned permanent living arrangement.
- b. **Time Frame,** every six months from the date of the Jurisdiction/Disposition Hearing.
- c. **Burden of Proof,** Child Welfare Agency/Social Worker

**13. WIC 366.22 Permanency Review Hearing:**

- a. **Purpose,** The continuing necessity for all appropriateness of the placement, Extent of the agency and willing relative, or in another plan Reasonable Efforts, or Active Efforts in the case of Indian child(ren), If the recommendation is not to return the child(ren), the report shall say specifically why the return would be detrimental; Whether there should be limitation of the rights of parent(s) or guardian to make educational decisions for the child(ren); and the appropriateness of development and maintenance of sibling relationships, The extent of progress that has been made toward alleviating or mitigating the cause necessitating placement in foster care, For each youth 16 years of age or older, the court shall also determine whether services have been made available to assist him or her in making the transition from foster care to adulthood, If the review hearing is the last review hearing to be held before the child reaches age 18 the court shall conduct the hearing pursuant to Section 366.31 or 366.32 of the Welfare and Institution Code, The court shall project a likely date by which the child may be returned to and safely maintained in the home or placed for adoption, Tribal customary adoption in the case of an Indian child, legal guardianship, placed with a fit and willing relative, or in another planned permanent living arrangement.
- b. **Time Frame,** every six months from the date of the Jurisdiction/Disposition Hearing.

- c. Burden of Proof, *Child Welfare Agency/Social Worker*
14. WIC 366.25 Subsequent Permanency Review Hearing:
- a. Purpose, *Whether the agency provided or offered reasonable services to the parents. The family's progress on the family reunification plan. Whether the child can be returned to parental care now or continues to be in need of out-of-home placement. If the child cannot be returned, a Welfare and Institutions Code section 366.26 Selection and Implementation Hearing must be set or a permanent plan of long-term foster care should be ordered.*
  - b. Time Frame, *Within 24 months after the date the child was originally removed from the physical custody of his or her parent or legal guardian.*
  - c. Burden of Proof, *Preponderance of the evidence, Child Welfare Agency/Social Worker*
15. 366.26 Permanency Hearing:
- a. Purpose, *terminate parental rights so the child(ren) can be adopted, Not Terminate parental rights, and order a Tribal Customary Adoption, name a legal guardian for the child(ren), or Place the child(ren) with a relative, foster parent, or in a group home for an extended period of time, or establish Another Planned Permanent Living Arrangement.*
  - b. Time Frame, *one hundred and twenty days from the court order terminating reunification services or not offering reunification services to the parent(s)/guardian(s).*
  - c. Burden of Proof, *Child Welfare Agency/Social Worker*
16. Post Permanency Hearing:
- a. Purpose, *what progress is being made to find a permanent home for the child(ren), If continuing necessity for dependency, and appropriateness of the placement, Identification of individuals other than the child's siblings and the actions necessary to maintain the child's relationship with the individual, The continued appropriateness and extent of compliance with the permanent plan for the child, The extent of the agency's compliance with the child welfare services case plan in making Reasonable Efforts either to return the child to the safe home of the parent or to complete whatever steps are necessary to finalize the permanent placement of the child, The extent of progress the parents or guardian have made toward alleviating or mitigating the causes necessitating placement in foster care,*  
*If the reviewing body determines a second period of reunification services is in the child's best interest and there is a significant likelihood of the child's safe return to the home of the parent, due to changed circumstances of the parent. Make sure to make a point to let the trainees know that parents should be evaluated at each hearing, and if they are prepared and it is in the best interest of the children, a second period of reunification services can be recommended to the court.*
  - b. Time Frame, *every six months, until termination of jurisdiction.*
  - c. Burden of Proof, *Child Welfare Agency/Social Worker*
17. Post Permanency Hearing 366.31:
- a. Purpose, *In addition to the post permanency hearing requirements, the court must also consider if the includes a plan for the minor to satisfy one or more of the participation conditions, so the minor is eligible to remain in foster care as a nonminor dependent. Whether the minor has been informed of his or her right to seek termination of dependency jurisdiction pursuant to Section 391, and understands the potential benefits of continued dependency. The minor has been informed of his or her right to have dependence reinstated and understands the potential benefits of continued dependency.*
  - b. Time Frame, *every six months until the court terminates jurisdiction.*
  - c. Burden of Proof, *Child Welfare Agency/Social Worker*
18. Termination of Jurisdiction Hearing:
- a. Purpose, *the social worker shall submit the completed JV 365 to the court and meet the requirements that are within section 391 WIC.*

- b. Time Frame, when the NMD turns 21, or when the youth requests termination of Juvenile Court jurisdiction, or when the NMD is no longer meeting the participation requirements.
- c. Burden of Proof, Child Welfare Agency/Social Worker

## Segment 5: Participants in the Courtroom

<p>The Court Clerk</p>	<p>Normally works for the judge, and sits next to the judge. They are responsible for taking the court minutes in the proceedings, and making sure the judge's orders are addressed in the minute orders.</p>
<p>The Court Reporter</p>	<p>Is a person who transcribes the spoken or recorded speech into written form, using shorthand, machine or voice writing equipment to produce official transcripts of court hearings, depositions, and other official proceedings.</p>
<p>The County Counsel</p>	<p>Is the legal advisor to the county, and your partner in court. They represent the child welfare agency and you in court.</p>
<p>The Court Officer/Social Worker</p>	<p>Represents the agency, and should be viewed as a liaison between the agency, court, and county counsel.</p>
	<p>Provide legal and zealous representation to children and teens, their parents, and to those designated to care for these minors. They handle</p>

<p>The Juvenile Defense Panel, Public Defender, and Lawyers</p>	<p>all matters heard in the Juvenile Court. They are appointed by the court to represent the children and teens, their parents, and to ensure that due process, rights, and the various individuals' best interests are represented in court.</p>
<p>The Tribal Attorney</p>	<p>Represents the interest of the Tribe in dependency matters.</p>
<p>The Bailiff</p>	<p>Their primary responsibility is the protection of the judge, the court staff, and security of the courtroom.</p>
<p>The Court Appointed Special Advocate (CASAs)</p>	<p>Are trained volunteer community member's appointed by a Juvenile Court judge as sworn officers of the court. Advocates for and helps the court to determine what is in the best interest of a child who has been removed from their home due to abuse, or neglect.</p>
<p>A Guardian ad Litem (GAL)</p>	<p>Is appointed by a court to protect the interests of a minor or adult who are incompetent in a particular matter. State law and local court rules govern their appointment. Typically, the court may appoint either a lawyer or a court appointed special advocate volunteer to serve as guardian ad litem in juvenile matters, family court matters, probate matters, and domestic relations matters.</p>

## Segment 6: 361.5(b) Reasons for Non-Reunification

(b) Reunification services need not be provided to a parent or guardian described in this subdivision when the court finds, by **clear and convincing** evidence, any of the following:

- (b)(1) The whereabouts of the parent or guardian are unknown, supported by an affidavit or proof that a reasonably diligent search has failed to locate the parent or guardian.
- (b)(2) The parent or guardian is suffering from mental disability and that renders him or her incapable of utilizing those services.
- (b)(3) The child or a sibling of the child has been previously adjudicated a dependent pursuant to any subdivision of Section 300 as a result of physical or sexual abuse, was returned to the parent's care that they were originally removed from, and is being removed again due to additional sexual abuse or physical abuse.
- (b)(4) The parent or guardian of the child has caused the death of another child through abuse or neglect.
- (b)(5) The child was brought within jurisdiction of the court under subdivision (e) of Section 300 because of the conduct of the parent or guardian.
- (b)(6) That the child has been adjudicated a dependent pursuant to any subdivision of Section 300 as a result of severe sexual abuse or the infliction of severe physical harm to the child, a sibling, or half sibling by a parent or guardian, as defined in this subdivision, and the court makes the factual finding that it would not benefit the child to pursue reunification services with the offending parent or guardian.
- (b)(7) The parent is not receiving reunification services for a sibling or half sibling of the child pursuant to paragraph (3), (5) or (6).
- (b)(8) That the child was conceived by means of the commission of an offense listed in Section 288 or 288.5 of the Penal Code.
- (b)(9) That the child has been found to be a child described in subdivision (g) of 300; that the parent or guardian of the child willfully abandoned the child, and the court finds that the abandonment itself constituted a serious danger to the child; or that the parent or other person having custody of the child voluntarily surrendered physical custody of the child.
- (b)(10) That the court ordered termination of reunification services for any sibling or half siblings of the child because the parent or guardian failed to reunify with the sibling or half sibling after the sibling or half sibling had been removed from the parent or guardian. And that according to the findings of the court, this parent or guardian had not subsequently made a Reasonable Effort to treat the problems that led to the removal of the sibling or half sibling of that child from that parent or guardian.
- (b)(11) The parental rights of a parent over any sibling or half sibling of the child had been permanently severed and that according to the findings of the court, this parent or guardian had not subsequently made a Reasonable Effort to treat the problems that led to the removal of the sibling or half sibling of that child from that parent or guardian.
- (b)(12) The parent or guardian of the child had been convicted of a violent felony, as defined in subdivision (c) of sections 667.5 of the Penal Code.

(b)(13) The parent or guardian of the child has a history of extensive, abusive, chronic use of drugs or alcohol and has resisted prior court-ordered treatment for this problem during a three-year period immediately prior to the filing of the petition that brought that child to the court's attention, or has failed or refused to comply with a problem of drug or alcohol treatment described in the case plan on at least two prior occasions, even though the programs identified were available and accessible.

(b)(14) The parent or guardian of the child has advised the court that he or she is not interested in receiving family maintenance or family reunification services or having the child returned to or placed in his or her custody and does not wish to receive family maintenance or reunification services, or having the child returned or placed in his or her custody.

(b)(15) The parent or guardian has on one or more occasions willfully abducted the child or child's sibling or half sibling from his or her placement and refused to disclose the child's or child's sibling or half sibling's whereabouts, refused to return physical custody of the child or child sibling, or half sibling to his or her placement, or refused to return physical custody of the child, or child sibling, or half sibling to the social worker.

(b)(16) The parent or guardian has been required by the court to register on the sex offender registry under the federal Adam Walsh Child Protection and Safety Act of 2006.

(b)(17) That the parent or guardian knowingly participated in, or permitted, the sexual exploitation, as described in subdivision (c) or (d) of Section 11165.1 of, or subdivision (c) of Section 236.1 of, the Penal Code, of the child. This shall not include instances in which the parent or guardian demonstrated by a preponderance of the evidence that he or she was coerced into permitting, or participating in, the sexual exploitation of the child.

## **ACTIVITY 7B: Understanding the Purpose of Hearings, and Preparing for Hearings.**

### **Preparing for Court Worksheet:**

*A worker from your unit has left the department, and her cases needed to be reassigned. You received one of the families. The child is Jazmine Isa Infant, six months old. The review hearing is in three weeks and the report has already been written. You meet with your supervisor and she is worried about the case, but does not provide a lot of specifics. She tells you to prepare for court, and to speak to county counsel prior to the hearing.*

**Read the Detention Report, Review Minute Orders if needed, and, Section 366.21(e) – Six Month Review Hearing, Segment 7 of the Trainee Guide. After you have read the suggested documents, answer the following questions as a table group:**

Date of Removal: **February 29, 2016 (yes it's a leap year)**

300 WIC Code Section: **300 B**

Date of Detention Hearing: **March 3, 2016**

Services Ordered: **Alcohol and drug testing, substance abuse parenting services, homeless services.**

Date of Jurisdiction/Disposition Hearing: **March 24, 2016**

Services Ordered: **Services were ordered to both parents, they are not specified in the minute order, and in this case a case plan would have been attached. According to the report what was ordered in the case plan is substance abuse treatment, testing, and parenting.**

What are the strengths in the report?

**The report gave you a general idea of how the family was doing. The recommendations were clear, ICWA status was documented; the reason for the hearing was clear and gave the reader a good picture of why the family originally came to the attention of the department, and what the circumstances were.**

**The father's services were documented well, therapist contacted and report given.**

What are your concerns about the report?

**Services for the mother were listed, but did not give detail. For the mother Reasonable Efforts were not made for substance abuse treatment which is the reason the family came to the attention of the department. The report stated that the mother was testing, but not what the results were.**

**No evidence of engagement with the mother.**

What are your next steps to help you prepare for the hearing?

**Obtain more information about the mother's services, drug testing results, contact with service providers.**

Find out what was done about housing and homeless services.

Is this a family where ICWA applies? Yes, or No

Which applies Reasonable Efforts or Active Efforts apply? This is not an ICWA case so Reasonable Efforts apply.

Does the report adequately speak about the parent's progress in their case plan? If not what more information would you like? Not for the mother.

Do you agree with the summary of recommendations made by the social worker? Yes, or No? If not, why?

Answer will be based on their response and justification. The answer can vary. Remind them that they will or have taken SDM, and it will help guide their decision making process.

When recommending continued foster care placement evidence must be presented that return to the parent would create a substantial risk of detriment to the safety, protection or physical or emotional well-being of the child by a preponderance of the evidence. Does the report rise to this level? Why or Why not? If not what more information would you need to support not returning a child to their parent? The recommendation was continued FR with authorization to return. Because the parents did not have housing the child could not be returned, but once house was obtained then the child could safely be returned to the father. Maybe the mother as well depending on the information gathered.

Were all special orders made by the court addressed in the court report? Yes, or No

At the Detention Hearing and Juris/Dispo Hearing the court ordered that the Department provide homeless services and assistance with housing. These orders and what the social worker did to assist needed to be documented. Even if not part of the case plan.

**As the trainer you have this question, but the trainees do not. Please use this question as a transition into the next section:**

Do you think that there is adequate engagement documented in this case?

With the parents? The social worker did speak to the parents.

With family member? The social worker spoke to the caregiver about concurrent planning, but not a lot of other things, such as details on visitation.

Is there evidence of teaming? There is no teaming documented.

## References/Bibliography

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YouTube Video, Preparing For Court; Part 1 and Part 2, Angie Stephenson, Assistant Attorney General for Child Welfare <https://www.youtube.com/watch?v=nV6Wjr-qoFI> and <https://www.youtube.com/watch?v=kCkVArsby5g>

YouTube Video, My Cousin Vinny “The Defense is Wrong”. Retrieved May 2016 from <https://www.youtube.com/watch?v=CFdJza0AbeA>

# Materials Checklist

- Trainer Guide
- Trainee Guide
- California Child Welfare Core Practice Model
- PowerPoint
- Chart paper, preferably with self-adhesive
- Markers, multiple colors
- Stars, optional laminated, to use in activity 2
- Tape
- One set of Participants in the Courtroom Matching Cards for each table
- Handout 1: All County Information Notice No:I-05-14, Sharing Information With Caregivers
- Handout 2: WIC 361.5 (b) Reasons for Non-Reunification

Handouts 3-7, listed below can be printed out, and bound to be reused.

- Handout 3: CR Legal Procedures Detention Minute Order
  - Handout 4: CR Legal Procedures Jurisdiction Minute Order
  - Handout 5: CR Legal Procedures Disposition Minute Order
  - Handout 6: CR Legal Procedures Removal from Custodial Parent
  - Handout 7: CR Legal Procedures Court Report
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- Dependency Flow Chart printed on legal size paper

## Videos:

*My Cousin Vinny Court Scene "The Defense is Wrong":* <https://www.youtube.com/watch?v=CFdJza0AbeA>

*Getting Ready for Court: Tips for New Social Workers Part 1:* <https://www.youtube.com/watch?v=nV6Wjr-qoFI>

*Getting Ready for Court: Tips for New Social Workers Part 2:* <https://www.youtube.com/watch?v=kCkVARSby5g>

*Juvenile Dependency Court Orientation:* <http://www.courts.ca.gov/cfcc-dependency.htm>