



**205**

**Safety, Permanence, and Well-Being:  
Legal Mandates in Pennsylvania,  
The Juvenile Act and Going to Court**

**A Training Curriculum  
Part Three of Four**

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**For the  
Pennsylvania Child Welfare  
Training Program**

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## **An Overview of the Curriculum**

### **Rationale:**

Public child welfare is a legally-driven system. As such, services must be delivered within the legal framework that guides, steers, and dictates the parameters of those services. Best practice standards for Pennsylvania's child welfare system note that staff must have a working knowledge of the laws and regulations related to child welfare practice. Learning to effectively apply child welfare law and state regulation in daily practice enables the Child Welfare Professional to protect children from abuse, assure stability in their living situations, and give children and families what they need to help children develop appropriately. In order to reach these positive outcomes for children and families, this four-part workshop examines child welfare law and state regulation and their relationship to safety, permanence, and well-being.

### **Competency:**

205: The Child Welfare Professional knows the role and responsibility of the caseworker in the juvenile court, knows applicable rules of evidence, is able to prepare testimony, and can testify appropriately in juvenile court hearings.

### **Goal for the Series:**

From intake to case closure, participants will be able to recognize, select, interpret, and apply child welfare law and regulation as they relate to safety, permanence, and well-being.

#### *Awareness*

- ✓ Recognize how law and regulation guide the casework process.
- ✓ Explain the relationship among Federal law, state law, state regulation, bulletins, special transmittals, and policy clarifications.
- ✓ Express how statute impacts practice at the state and county levels.

#### *Knowledge*

- ✓ Identify the major provisions of the Pennsylvania child welfare legal mandates, including:
  - ~Child Protective Services Law and Regulation Chapter 3490,
  - ~Juvenile Act and Regulation Chapter 3130,
  - ~Adoption Act and Regulation Chapter 3350.
- ✓ Identify which law or regulation addresses an identified topic area.

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## **An Overview of the Curriculum (continued)**

### **Goal for the Series (continued):**

#### *Understanding*

- ✓ Describe the law and regulation as they relate to safety, permanence, and well-being outcomes, including:
  - ~Child Protective Services Law and Regulation Chapter 3490,
  - ~Juvenile Act and Regulation Chapter 3130,
  - ~Adoption Act and Regulation Chapter 3350.
- ✓ Describe the court including the participants and their roles.
- ✓ Associate child welfare law and regulation with the casework process.

#### *Application*

- ✓ Locate identified topic areas within law and regulation.
- ✓ Classify law and regulation as addressing safety, permanence, or well-being outcomes.
- ✓ Interpret statute based on case law.
- ✓ Demonstrate an ability to translate a case in the files to a case in the courtroom.

### **Learning Objectives:**

Participants will be able to:

- ✓ Describe how the Juvenile Act guides services for children and families in Pennsylvania.
- ✓ Identify the major provisions of The Juvenile Act.
- ✓ Match the legal mandates of The Juvenile Act to safety, permanence, and well-being.
- ✓ Match the legal mandates of The Juvenile Act to the casework process.
- ✓ Match the legal mandates of The Juvenile Act to the Child and Family Services Review outcomes.
- ✓ Describe the court including roles and components.
- ✓ Demonstrate an ability to translate a case in the files to a case in the courtroom.

### **Length of Workshop:**

6 hours

### **Materials Needed to Present Workshop:**

- ✓ Sign-in sheets
- ✓ Name tents

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## **An Overview of the Curriculum (continued)**

### **Materials Needed to Present Workshop (continued):**

- ✓ Markers
- ✓ Masking tape
- ✓ Flip chart stands
- ✓ Flip chart pads
- ✓ Folders (optional)
- ✓ Small prizes (optional)
- ✓ Overhead projector/screen
- ✓ TV/VCR
- ✓ **Video (*Losing Isaiah*)**
- ✓ **Video (*My Cousin Vinny*)**
- ✓ Examples of types of evidence
- ✓ Banner headings: *WIFM* and *Parking Lot* (optional)
- ✓ Sentence strips or flip chart sheets cut to about 3"x24" or flip chart sheets (either the completed ones from Part One and/or Two of the series or blank ones)
- ✓ Handouts
- ✓ Table copies of the University of Pittsburgh Child Welfare Training Program Resource Book (2 copies per table)

### **Target Audience:**

Child Welfare Professionals who have completed their 120 hours of Direct Service Certification through Child Welfare Professional CORE or Charting the Course towards Permanency for Children in Pennsylvania.

### **Summary:**

Learning to effectively apply child welfare law and state regulation in daily practice enables the Child Welfare Professional to protect children from abuse, assure stability in their living situations, and give children and families what they need to help children develop appropriately. This four-part workshop examines child welfare law and state regulation and their relationship to safety, permanence, and well-being.

### **Expectations of the Trainer:**

The trainer must have child welfare experience and a comprehensive, working knowledge of the laws, regulations, and other mandates that dictate child welfare practice, including the Adoption and Safe Families Act, Juvenile Act, Child Protective Services Law, and Adoption Act.

### **PA Standards:**

IA: Assessment: Assess Inquiries

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## **An Overview of the Curriculum (continued)**

### **PA Standards (continued):**

IC: Assessment: Make Investigative Decisions

IH: Assessment: Consider Culture

IIB: Service Planning: Select an Appropriate Goal

IIC: Service Planning: Write the Plan

IIIG: Service Planning: Determine Length of Service

IIIK: Service Delivery: Determine Least Restrictive Setting

IIIO: Service Delivery: Plan Family Visits

### **CFSR Issues:**

Permanency Outcome 1: Children have permanency and stability in their living situations.

Permanency Outcome 2: The continuity of family relationships and connections is preserved for children.

Well-Being Outcome 1: Families have enhanced capacity to provide for their children's needs.

Well-Being Outcome 2: Children receive appropriate services to meet their educational needs.

Well-Being Outcome 3: Children receive adequate services to meet their physical and mental health needs.

### **Interactional Skills:**

Tuning in to the Phase of the Helping Process You're in  
Clarifying Purpose, Function, and Role  
Identifying Next Steps

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### **Agenda for Full-Day Curriculum on Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court**

<b>Estimated Time</b>	<b>Content</b>	<b>Page</b>
30 minutes	Section I: Introduction	7
45 minutes	Section II: What is a Fact?	16
1 hour	Section III: What is the Law?	20
1 hour, 15 minutes	Section IV: What is the Evidence?	28
1 hour, 15 minutes	Section V: Commencement of Juvenile Court Proceedings	37
1 hour	Section VI: Planning for Permanence	43
15 minutes	Section VII: Evaluation and Closure	50

# **205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court**

## **Section I: Introduction**

### **Estimated Length of Time:**

30 minutes

### **Rationale:**

Group trust and cohesiveness assist in creating a positive environment for learning. When the trainer starts a workshop with an opening activity which engages participants, promotes the development of cohorts, and makes a point which relates to the training topic, participants will be encouraged to interact, initiating the development of group trust and cohesiveness. Group and individual efforts are further aided by an orientation to the workshop goal and objectives, how the workshop fits into a broader four-course series, and to the expectations of them as learners. Participants' learning throughout the session will be enhanced with a beginning awareness of a planning tool that may be utilized to organize a case for court and a review of the types of court proceedings for which it can be used.

### **Learning Objectives:**

Participants will be able to:

- ✓ Outline the course, course competency, goal, and learning objectives.
- ✓ Identify their learning needs.
- ✓ Explain the overall organizing concept that will direct the preparation of a case for presentation in court.
- ✓ Know the types of courts in which child welfare cases are presented.

### **Methods of Presentation:**

Lecture, optional small group activity, and large group discussion

### **Materials Needed:**

- ✓ Sign-in sheets
- ✓ Name tents
- ✓ Markers
- ✓ Masking tape
- ✓ Flip chart stands
- ✓ Flip chart pads
- ✓ Folders (optional)
- ✓ Small prizes (optional)
- ✓ Overhead projector/screen
- ✓ **Overhead #1 (Workshop Overview)**
- ✓ **Overhead #2 (Goal)**
- ✓ **Overhead #3 (Learning Objectives)**
- ✓ **Overhead #4 (Agenda)**
- ✓ **Handout #1 (Workshop Overview)**
- ✓ **Handout #2 (Agenda)**
- ✓ **Handout #3 (Types of Courts and Their Proceedings)**

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## **Section I: Introduction (continued)**

### **Materials Needed (continued):**

- ✓ **Handout #4 (Law, Fact, Evidence)**
- ✓ Sentence strips or flip chart sheets cut to about 3"x24" or flip chart sheets (either the completed ones from Part One and/or Two of the series or blank ones)
- ✓ Banner headings: *WIFM* and *Parking Lot* (optional)

### **Resources Used:**

Pennsylvania Child Welfare Competency-Based Training and Certification Program. (2000). *The Caseworker in the Courtroom: Preparing and Presenting a Child Welfare Case in Court*. Shippensburg, PA: Shippensburg University.

Pennsylvania Child Welfare Training Program. (2006). *Safety, Permanence, and Well-being: Legal Mandates in Pennsylvania, the Child Protective Services Law*. Mechanicsburg, PA: University of Pittsburgh.

### **PA Standards:**

IIB: Service Planning: Select an Appropriate Goal

IIIG: Service Planning: Determine Length of Service

### **CFSR Issues:**

Permanency Outcome 1: Children have permanency and stability in their living situations.

### **Interactional Skills:**

Clarifying Purpose, Function, and Role

Identifying Next Steps

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## **Section I: Introduction (continued)**

### **A. Preliminaries**

**Trainer Note:** Prepare the training room in advance by placing name tents, and markers on each participant table. If appropriate WIIFM items were retained from the first and/or second session, they should be hung on the wall. As participants arrive, greet each one and ask them to sign in.

Additional materials for initial distribution to participants are **Handout #1 (Workshop Overview)**, **Handout #2 (Agenda)**, and **Handout #4 (Law, Fact, Evidence)**. The trainer may wish to place the handouts in a folder and can decide how to best distribute all the materials, i.e. placing them on the tables in advance or handing them to each participant.

#### **Step 1:**

**Trainer Note:** The intent of the series is that the trainer and participants will be the same throughout the series. Nonetheless, there may be others who are in attendance for this segment that were not in part one or two with this group, such as when a participant missed this segment of the training while attending the series with another group of cohorts. Depending upon the circumstances, the trainer may only need to give brief reminders of the rules and the trainer.

The trainer starts the training session by covering the following points:

- ✓ Welcome participants to the training.
- ✓ Review the details of the Training Program's trainings, including:
  - 15 minute rule
  - sign-in sheet
  - evaluation
  - credits available for completion of the training
- ✓ Introduce the trainer.

#### **Step 2:**

The trainer states that learning to effectively apply child welfare law and state regulation in daily practice enables Child Welfare Professionals to protect children from abuse, assure stability in their living situations, and give children and families what they need to help children develop appropriately.

This four-part workshop examines child welfare law and state regulation and their relationship to safety, permanence, and child and family well-being.

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## **Section I: Introduction (continued)**

### **Step 2 (continued):**

Using **Handout #1 (Workshop Overview)** and **Overhead #1 (Workshop Overview)**, the trainer provides an overview of the four parts that make up the *Legal Mandates in Pennsylvania* Training Series:

- Part 1: Overview (two days)
- Part 2: The Child Protective Services Law (one day)
- Part 3: The Juvenile Act and Going to Court (one day)
- Part 4: The optional *Liability and Risk Management in Child Welfare Services* (two days)

The trainer reminds participants that this training is Part 3 regarding The Juvenile Act and Going to Court.

### **Step 3:**

The trainer draws attention to the course competency for participant review using **Handout #1 (Workshop Overview)**. The course competency is:

205: The Child Welfare Professional knows the role and responsibility of the caseworker in the juvenile court, knows applicable rules of evidence, is able to prepare testimony, and can testify appropriately in juvenile court hearings.

### **Step 4:**

Using **Handout #1 (Workshop Overview)** and **Overhead #2 (Goal)**, the trainer notes that the goal of the workshop is that from intake to case closure, participants will be able to recognize, select, interpret, and apply child welfare laws and regulation as they relate to safety, permanence, and well-being.

### **Step 5:**

The trainer reviews the course learning objectives using **Handout #1 (Workshop Overview)** and **Overhead #3 (Learning Objectives)**. The overall learning objectives, which describe what participants, will be able to do at the completion of the workshop are:

- ✓ Describe how the Juvenile Act guides services for children and families in Pennsylvania.
- ✓ Identify the major provisions of The Juvenile Act.
- ✓ Match the legal mandates of The Juvenile Act to safety, permanence, and well-being.
- ✓ Match the legal mandates of The Juvenile Act to the casework process.

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## **Section I: Introduction (continued)**

### **Step 5 (continued):**

- ✓ Match the legal mandates of The Juvenile Act to the Child and Family Services Review outcomes.
- ✓ Describe the court including roles and components.
- ✓ Demonstrate an ability to translate a case in the files to a case in the courtroom.

### **Step 6:**

The trainer reviews the agenda for part three of the workshop using **Handout #2 (Agenda)** and **Overhead #4 (Agenda)**. The major sections of the Agenda are:

- I. Introduction
- II. What is a Fact?
- III. What is the Law?
- IV. What is Evidence?
- V. Commencement of Juvenile Court Proceeding
- VI. Planning for Permanence
- VII. Evaluation and Closure

### **Step 7:**

The trainer reminds participants that the day's training will be held from 9:00 a.m. to 4:00 p.m. with a one hour break for lunch and mid-morning and mid-afternoon breaks. The trainer discusses any special housekeeping details including a request to turn off the ringers on cell phones.

### **Step 8:**

(This step, and the other steps of this segment of training are optional. Depending upon the group and the previous two parts of the training, the trainer may simply ask participants to display their name tents from the previous training session, post the learning needs from part one and/or two of the training, quickly review the needs to ascertain their continued relevance to the training, and assimilate any new participants joining the group.)

The trainer arranges participants in small groups of four to five persons each.

### **Step 9:**

If participants have retained their name tents from part one or two of the series, the trainer may wish to use them instead of creating new name tents. However, if new participants have joined the group or anyone did not return with their name tent, at least some new name tents will need to be created. The trainer can also choose to have

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### **Section I: Introduction (continued)**

#### **Step 9 (continued):**

everyone create a new name tent.

Using either construction paper (folded in thirds), index cards (folded in half), or other name tent material, the trainer instructs participants to write their first name in the center of their nameplate with a marker.

The trainer instructs participants to write the county in which they work in the top right corner of the name plate. The trainer instructs participants to write their position in the agency in the top left corner.

The trainer asks participants to write the type of service they provide in the bottom left corner. The trainer asks participants to write the amount of experience they have in child welfare in the bottom right corner. As an alternative, the trainer may wish to have participants write the number of times they have been in juvenile court (or similar number) in the bottom right corner.

If the trainer deems it appropriate to generate new learning needs, the trainer asks participants to turn their name tents over and note on the back of the name tent what they most want or need to know about The Juvenile Act to help them do their jobs better. (If the name tents from part one or two are being used, and the trainer deems it appropriate to generate new learning needs, the participants can list their learning needs on the inside of their name tents.)

When the name and four corners, and need are complete, the trainer asks participants to stand their name plate in front of them.

If no new participants have joined the session and participants are seated with the same people as in part one or two, introductions may not be necessary. However, if new participants have joined the group, they should be assimilated into the groups. The trainer asks participants to share introductory information from their name tents with the others seated at their table.

If new learning needs were solicited, the trainer asks each group to compile a list of their priority needs and wants for this session and note them on individual sentence strips or on a sheet of flip chart paper.

#### **Step 10:**

The trainer reconvenes the large group and circulates among the small groups to determine their needs and wants. If sentence strips were used, the trainer rotates among the small groups to determine the needs and hangs the sentence strips under

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## **Section I: Introduction (continued)**

### **Step 10 (continued):**

headings for *WIIFM* (What's in it for me) or *Parking Lot*. Parking lot items reflect those issues that are beyond the scope of the training. The trainer should refer participants to appropriate resources for those items.

If sheets of flip chart paper were used to reflect the needs, the trainer asks each small group to hang and review its needs.

The trainer should point out any needs that were retained from part one and/or two of the series.

The trainer monitors and refers to the needs throughout the training, noting their relationship to the content.

## **B. Types of Courts and Their Proceedings**

### **Step 1:**

The trainer notes that there are various courts and hearings that Child Welfare Professionals may enter in the course of their work. Child welfare staff will present a variety of issues to each of these courts and in each of these hearings. Staff may also be called as witnesses in criminal court or family court proceedings. Going to court is an integral part of the work of child welfare. The extent to which the court successfully ensures a child's safety, permanence, and well-being, depends to a large extent on the skill and persistence of the staff, and the knowledge of the case and of court procedures. In abuse and neglect situations in which the child must be removed from the home, planning and appropriate use of the court system is crucial to provide safety for the child and momentum for positive change on the part of parents, and to avoid situations in which the child remains in care indefinitely and ensure permanency planning for the child.

### **Step 2:**

The trainer asks participants to consider the various courts and types of hearings which bring child welfare cases before the court. The trainer may conduct a large group brainstorm or a small group brainstorm, asking participants to name the types of proceedings which bring child welfare cases before the court and the courts in which they are held.

If a small group brainstorm is held, the trainer reconvenes the large group and rotates among the small groups to gather the responses.

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## **Section I: Introduction (continued)**

### **Step 2 (continued):**

With either a large or small group brainstorm, the trainer lists the responses from participants on a sheet of flip chart paper.

### **Step 3:**

The trainer distributes **Handout #3 (Types of Courts and Their Proceedings)** and reviews it with participants. The trainer explains that the type of proceeding is dictated by the petition before the court. The various courts and types of proceedings are:

- Juvenile Court
  - Informal hearing
  - Adjudication of dependency hearing
  - Permanency hearing
  - Permanency review hearing
  - Permanency review hearing with a petition to change the placement goal
  - Hearing to determine aggravated circumstances
  - Hearing to determine specific matters regarding dependent children, e.g. a petition to terminate visitation, a petition to compel testimony from drug and alcohol counselors, a petition to provide a right to travel, etc.
- Orphan's Court
  - Hearing on a petition to terminate parental rights
  - Hearing on a petition to have the court appoint a Guardian of the Person
  - Hearing on a petition for adoption
- Administrative Court
  - Hearing on appeal of a determination of abuse and the Department of Public Welfare's refusal to expunge the record
- Appellate Courts
  - Superior Court (appeals from the Court of Common Pleas)
  - Commonwealth Court (appeals from Administrative Court)
  - Pennsylvania Supreme Court (appeals from Superior and Commonwealth Court)
  - United States Supreme Court (appeals regarding Constitutional issues)

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## **Section I: Introduction (continued)**

### **C. An Overview of the Law, Fact, Evidence Trilogy**

#### **Step 1:**

The trainer states that Child Welfare Professionals are faced with many fact situations and many varied issues that can be presented to a variety of courts. Hence, they need a way to think through the cases and organize their preparation for court. The trainer notes that this training presents a framework to organize one's thinking and preparation for any case that is to be prepared and presented in any of the courts.

#### **Step 2:**

The trainer distributes **Handout #4 (Law, Fact, Evidence)**. The trainer comments that Child Welfare Professionals are bombarded by many, many facts each day, both in the field, in interviews with children and parents, and in interactions with collateral contacts. Part of the goal of a fine presentation of a case in court is to create the field in the courtroom, so that the finder of fact (the judge or master) has as many facts in front of him or her to make a reasoned judgment on the case. The trilogy is a framework for organizing facts, evaluating them in terms of the law, and preparing the evidence to support the facts in keeping with the rules of evidence.

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## **Section II: What is a Fact?**

### **Estimated Length of Time:**

45 minutes

### **Rationale:**

The law, fact, evidence trilogy provides a framework for effective preparation for court. In order to successfully present a case in court, Child Welfare Professionals must be able to identify and isolate facts and distinguish facts from conclusions or opinions. This segment of training helps participants to be clear and concise in the facts they identify so that they will later be assisted when they are evaluating the law and preparing the evidence. Child Welfare Professionals are further aided by having an understanding of the importance of keeping the case record accurately and with enough specificity to use in the building of a firm evidential foundation for a case to be presented in court.

### **Learning Objectives:**

Participants will be able to:

- ✓ Identify and isolate facts.
- ✓ Distinguish facts from conclusions and/or opinions.
- ✓ Determine the importance of keeping an accurate case record.

### **Methods of Presentation:**

Lecture, video viewing, individual activity, and large group discussion

### **Materials Needed:**

- ✓ Flip chart stands
- ✓ Flip chart pads
- ✓ Overhead projector/screen
- ✓ TV/VCR
- ✓ **Overhead #5 (Record Keeping)**
- ✓ **Handout #5 (The Case of Susan Turner)**
- ✓ **Video (Losing Isaiah)**

### **Resources Used:**

Gifts, S. (1984). *Law Dictionary*. New York: Barron's.

Pennsylvania Child Welfare Competency-Based Training and Certification Program. (2000). *The Caseworker in the Courtroom: Preparing and Presenting a Child Welfare Case in Court*. Shippensburg, PA: Shippensburg University.

### **PA Standards:**

IA: Assessment: Assess Inquiries

IC: Assessment: Make Investigative Decisions

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### **Section II: What is a Fact? (continued)**

#### **CFSR Issues:**

Permanency Outcome 1: Children have permanency and stability in their living situations.

Permanency Outcome 2: The continuity of family relationships and connections is preserved for children.

#### **Interactional Skills:**

Clarifying Purpose, Function, and Role

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## Section II: What is a Fact?

### Step 1:

The trainer notes that the training will now look more closely at the law, fact, and evidence trilogy. The trilogy discussion begins with the facts because casework begins with the facts. Facts are, in many ways, the easiest part of the trilogy to identify and the most powerful for giving shape to the case to be presented in court.

### Step 2:

The trainer asks participants what a fact is. (The trainer can use a dictionary or a preferred source for a formal definition of fact.) The trainer states that *Barron's Law Dictionary* defines fact as an event that has occurred or circumstances that exist, events whose actual occurrence or existence is to be determined by the evidence.

The trainer asks participants for examples of facts in the training room. Concrete facts include there is a table, there are chairs. The trainer notes that some facts are more open to interpretation, such as her hair is brown. The trainer adds that others are more open to interpretation and bordering on opinion, such as she is really enjoying the training.

### Step 3:

The trainer notes that since facts are such an important part of the foundation of a case, it is imperative that staff keep good case records. Recordings must be clear and specific. The trainer adds that it is beyond the scope of this training to teach the skill of record keeping, however there are legal implications of record keeping. Using **Overhead #5 (Record Keeping)**, the trainer offers several general guidelines for record keeping:

- The record should include dates, times, and any other general data that may be important to set the context of the event in that this information may become critical at a later point.
- The record should avoid value statements and include specific descriptions instead. For example, rather than write, the house was messy, the worker should note the specifics of the mess, such as dirty laundry, dirty dishes, cat and dog feces, etc. Rather than write, there were safety concerns, the worker should note exposed wires, piles of clothes and household items on stairs, no screens in windows, etc.
- The record should identify people with whom the worker spoke since the names may be important later. Rather than write, the neighbor said, the worker should record, for example, the neighbor Mrs. Jones, telephone 573-784-1656, address 123 Main Street, Cleveland, PA, or rather than the school nurse reported, the record should read, the nurse, Susan Smith, at Keystone Elementary School.

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### **Section II: What is a Fact? (continued)**

#### **Step 4:**

The trainer announces that participants will watch the opening scenes from the **Video (Losing Isaiah)**. (The trainer should show the beginning six or seven minutes of the video until the comment, "get out of my alley.") The trainer asks participants to take notes on facts while the video is showing.

#### **Step 5:**

After showing the video clip, the trainer reconvenes the group and asks participants to identify the facts that they witnessed. The trainer lists the facts noted by participants on a sheet of flip chart paper. The trainer encourages participants to list as many facts as possible but also encourages participants to challenge items that may actually be conclusions or opinions.

#### **Step 6:**

The trainer distributes **Handout #5 (The Case of Susan Turner)**. The trainer asks participants to review the case and highlight facts that are presented.

#### **Step 7:**

When participants have completed their review, the trainer reconvenes the large group and leads a discussion on the facts of the case. The trainer again encourages participants to list as many facts as possible but also challenge items that may actually be conclusions or opinions.

#### **Step 8:**

The trainer ends the segment of training by noting that in the time a worker spends in court, he or she will be called upon to present facts, draw conclusions, and even to give limited opinions.

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## **Section III: What is the Law?**

### **Estimated Length of Time:**

1 hour

### **Rationale:**

The law, fact, evidence trilogy provides a framework for effective preparation for court. In order to successfully present a case in court, Child Welfare Professionals must be able to identify the pertinent sections of the law and relate them to the facts of the case. This segment of training helps participants to identify pertinent sections of The Juvenile Act and The Child Protective Services Law, explore how the law shapes the case presentation to the court, and analyze the law controlling a particular case.

### **Learning Objectives:**

Participants will be able to:

- ✓ Identify ways in which a good court presentation must be grounded in the law.
- ✓ Determine how a court case is shaped by the provisions of the law.
- ✓ Apply the definition of dependency and aggravated circumstances.

### **Methods of Presentation:**

Lecture, small group activity, and large group discussion

### **Materials Needed:**

- ✓ Overhead projector/screen
- ✓ **Overhead #6 (Proper Parental Care and Control...)**
- ✓ **Handout #6 (Involving the Court)** (optional)
- ✓ University of Pittsburgh Child Welfare Training Program Resource Book

### **Resources Used:**

Pennsylvania. (2005). *The Juvenile Act, Title 42, PA C.S., Chapter 63*.

Pennsylvania Child Welfare Competency-Based Training and Certification Program. (2000). *The Caseworker in the Courtroom: Preparing and Presenting a Child Welfare Case in Court*. Shippensburg, PA: Shippensburg University.

Pennsylvania Child Welfare Training Program. (2006). *Safety, Permanence, and Well-being: Legal Mandates in Pennsylvania, Overview*. Mechanicsburg, PA: University of Pittsburgh.

### **PA Standards:**

IA: Assessment: Assess Inquiries

IC: Assessment: Make Investigative Decisions

IH: Assessment: Consider Culture

IIB: Service Planning: Select an Appropriate Goal

# **205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court**

## **Section III: What is the Law? (continued)**

### **PA Standards (continued):**

IIC: Service Planning: Write the Plan

IIIG: Service Planning: Determine Length of Service

### **CFSR Issues:**

Safety Outcome 1: Children are, first and foremost, protected from abuse and neglect.

Safety Outcome 2: Children are safely maintained in their homes whenever possible and appropriate.

Permanency Outcome 1: Children have permanency and stability in their living situations.

Permanency Outcome 2: The continuity of family relationships and connections is preserved for children.

Well-Being Outcome 1: Families have enhanced capacity to provide for their children's needs.

Well-Being Outcome 2: Children receive appropriate services to meet their educational needs.

Well-Being Outcome 3: Children receive adequate services to meet their physical and mental health needs.

### **Interactional Skills:**

Clarifying Purpose, Function, and Role

Identifying Next Steps

## 205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court

### Section III: What is the Law?

#### Step 1:

The trainer notes that while the law, fact, evidence trilogy can be utilized in any case presented to the court, the emphasis in this training is on The Juvenile Act. The trainer refers participants to a copy of The Juvenile Act located in the University of Pittsburgh Child Welfare Training Program Resource Book on their table and asks them to locate the definition of dependency that was discussed earlier in the legal series. The trainer reminds participants that the definition is what the court will use to determine dependency.

#### Step 2:

The trainer notes that several hypothetical cases will be presented and participants are asked to determine whether the child is arguably dependent and which part of the definition of dependency applies. (Depending on the group and the time available, the trainer may decide to present only a few of the cases.)

- *Hypothetical:* An infant is found in the supermarket early one morning, carefully placed between the can of green beans and chick peas. The child is carefully placed to prevent falling, is clean, well dressed, and wrapped appropriately for the weather. A note is attached to the infant that reads, "I cannot care for this lovely little girl. I ask whoever finds her to take good care of her."

Is this child arguably dependent?

*Response:* Yes, under the provisions of the definition of a dependent child, (1) and (3).

- *Hypothetical:* Jason, a nine-year-old boy, is playing in the parking lot behind his apartment with a six-year-old girl. During the course of play, he grabs the little girl, takes her behind the dumpster, and forces her to perform oral sex. The little girl reports it to her mother. Jason was also observed by two older youth, who come to the rescue.

Is Jason arguably dependent?

*Response:* Yes, under the provisions of the definition of a dependent child, (7).

- *Hypothetical:* Janine, a 13-year-old girl, has everything most children want. Her parents adore her, and have provided her with a warm and lovely home, her own room, computer, and television. She refuses to go to school and often leaves after her parents bring her into the building. She also has been known to sneak out of her house at night and spend the night somewhere, partying with someone.

## **205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court**

### **Section III: What is the Law? (continued)**

#### **Step 2 (continued):**

Is Janine arguably dependent?

*Response:* Yes, under the provisions of the definition of a dependent child, (5) and (6).

- *Hypothetical:* Selma's parents present her at the local school for kindergarten registration. The parents do not have a birth certificate for her and do not have a record of her early immunizations. The school becomes curious and the school social worker interviews the parents. They say that they paid her parents \$5,000 a few years earlier and the parents left Selma with them, never to have been seen or heard from since. Selma's parents ask the friendly social worker if they are in trouble.

Is Selma arguably dependent?

*Response:* Yes, under the provisions of the definition of a dependent child, (2).

- *Hypothetical:* Judy had a child two years ago in the middle of a profound psychotic episode. The child was placed in foster care after she tried to drown her in the river, saying she was an unwanted cat. Judy was committed to a psychiatric hospital where she met Jerry. Judy became pregnant and again was certain that she was going to give birth to a cat to make up for her attempt at drowning the last one in the river. When she gave birth, she told the hospital staff she was surprised by how much the baby looked human. She named her Fluffy. The staff were concerned by Judy's behavior and called the county children and youth agency.

Is Fluffy arguably dependent?

*Response:* Yes, under the provisions of the definition of a dependent child, (10).

- *Hypothetical:* The county agency has been working with Mr. and Mrs. King and their six-month-old twins since the children's birth. Despite the efforts of the hard-working caseworker, the house continues to be filthy and roach infested, the children continue to not receive medical care on a timely basis, the parents often leave the children in the house while they sit on the front porch and visit with the neighbors, and the refrigerator is often empty despite the caseworker's attempts to keep the family well supplied with food vouchers and supplies from the food bank. Although the parents give lip service to following the directives of the caseworker, it has remained exactly that--lip service. The caseworker wishes to approach the court to seek a finding of dependency and court ordered services.

Are the twins arguably dependent?

*Response:* Yes, under the provisions of the definition of a dependent child, (1).

## 205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court

### Section III: What is the Law? (continued)

#### Step 2 (continued):

The trainer asks participants what they think is meant by "without proper parental care or control, subsistence, education as required by law, or other care or control necessary for this physical, mental or emotional health or morals."

The trainer notes that this is an example of the relationship between statutory law and case law. Cases presented to the Superior Court can give meaning to the statutory language. Using **Overhead #6 (Proper parental care and control...)**, the trainer states that if participants were to read all of the Superior court cases under this provision of the Juvenile Act, they would find that the courts have concluded that children have a right to proper food, clothing, shelter, education, medical care, supervision, and to live in an environment free from abuse and exploitation. Therefore, in testing "proper parental care and control," the court will hear evidence on any or all of those factors.

- *Hypothetical:* Jane and Victor live with Jane's four children. The local police have had surveillance on the residence of Jane and Victor for some time. One night, the residence was subjected to a drug raid. Jane and Victor are both arrested and incarcerated. Bail is set on each at \$50,000. The police call the county agency to report the incident and to request assistance with the four children in the home.

Are the four children arguably dependent?

*Response:* Maybe. It is first required to ascertain who is the father of the children before the question of dependency can be answered. Case law directs that a child is dependent only if the child is without proper parental care and control and that proper parental care and control is not immediately available.

The trainer notes that a myriad of situations may present themselves regarding a father who is not in the home. That is when the agency must consult with its solicitor to determine what is legally required in a given situation. For example, the Superior Court has confirmed what good social work practice wisdom would dictate. If the father's whereabouts are unknown and he has not had contact with the children in some time, the agency is not required to investigate his whereabouts on an emergency basis. However, practice wisdom also dictates that the county agency should make inquiry about the father after the crisis has passed, for a whole variety of reasons, including the need for permanency for the child.

On the other hand, the Superior Court has also ruled that if a father is a presence in the child's life, is ready and willing and able to care for the child, and can provide a safe and nurturing environment, the child is arguably not dependent.

- *Hypothetical:* Isaiah in the video watched earlier.

## **205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court**

### **Section III: What is the Law? (continued)**

#### **Step 2 (continued):**

Is Isaiah arguably dependent?

*Response:* Yes, under the provisions of the definition of a dependent child, (1) and (3).

<b>Trainer Note:</b> This may be a suitable time for a break.
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#### **Step 3:**

The trainer returns participants' attention to the case of Susan Turner. The trainer asks participants to determine the provision of the definition of dependency they would use regarding the Turner children. The response is provision (1).

#### **Step 4:**

The trainer asks participants if there is another law that they might cite regarding any of the Turner children. The response is The Child Protective Services Law in regards to Angela, depending upon the severity of her injuries.

The trainer reminds participants that all petitions in Juvenile Court must, at minimum, cite The Juvenile Act. If supported by the facts in a given case, both dependency, as per The Juvenile Act, and abuse, as per the definition of an abused child in The Child Protective Services Law, may be alleged.

#### **Step 5:**

The trainer asks participants what other facts, if any, will the Juvenile Court require in the petition, in addition to the request for a finding of dependency. The response is facts to support aggravated circumstances. The trainer asks which federal law initiated this new concept. The response is the Adoption and Safe Families Act.

#### **Step 6:**

The trainer directs participants to locate the definition of aggravated circumstances in The Juvenile Act. The trainer asks participants if aggravated circumstances exist regarding Isaiah's circumstances. The response is that they may exist based on provision (2) of the definition. Isaiah may be the victim of physical abuse resulting in aggravated physical neglect by the parent. The trainer directs participants to locate the definition of aggravated physical neglect which is any omission in the care of a child which results in a life-threatening condition or seriously impairs the child's functioning.

## **205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court**

### **Section III: What is the Law? (continued)**

#### **Step 7:**

The trainer instructs participants to locate section 6334 (b) of The Juvenile Act to determine when allegations of aggravated circumstances may be brought to the court. The trainer reminds participants that an allegation that aggravated circumstances exist may be brought:

- in a petition for dependency with regard to a child who is alleged to be a dependent child; or
- in a petition for a permanency hearing with regard to a child who has been determined to be a dependent child.

The trainer adds that the matter may be brought to the court by the county agency or the child's attorney. Once the county agency reasonably believes that aggravated circumstances exist, it must file a petition as soon as possible, but no later than 21 days from the determination by the agency that aggravated circumstances exist.

#### **Step 8: (Optional)**

If the following activity was not completed on the second day of the legal series, the trainer may wish to conduct it here.

The trainer ensures that participants are seated in small groups of about four to five persons each. The trainer distributes **Handout #6 (Involving the Court)**. The trainer asks participants to work with their small groups to discuss the two case vignettes and respond to the questions that follow each.

#### **Step 9: (Complete only if Step 8 was completed.)**

When participants have completed the task, the trainer reconvenes the large group and discusses each vignette.

#### **Jennifer**

Jennifer is a 21-year-old with a diagnosis of schizophrenia who just gave birth to a baby boy. She has a history of beating her first son severely. After placing the child in foster care, the local children and youth agency filed a petition with the court two years ago for an involuntary termination of parental rights. The court terminated Jennifer's parental rights and the child was adopted. Jennifer has not been taking medication because of her pregnancy. Her father severely abused her physically and sexually as a child. She has stated that she hates males and believes they are all "the devil." Hospital staff are requesting intervention.

## **205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court**

### **Section III: What is the Law? (continued)**

#### **Step 9 (continued):**

-Would intervention include dependency? If so, what section of the definition would apply?

*Response:* Yes. Part 10 of the definition would apply due to the involuntary termination within the past three years.

-Does this case involve aggravated circumstances? If so, why?

*Response:* Yes, also because of the involuntary termination.

-If the county agency requests court involvement, in addition to identifying information, what would the petition include?

*Response:* The petition would include the facts which support part 10 of the definition of dependency, the facts which support the aggravated circumstance, and the reasonable efforts made.

#### **Jack**

Jack is a three-year-old child who has been in a foster home for the past year with a permanency goal of reunification. The child was placed due to parental neglect and aggravated circumstances were not alleged by the agency. Mother is not a resource and her whereabouts are unknown. A neighbor phones the county agency alleging that the father is known in Colorado because he killed another child. The caseworker requests that the father get an FBI clearance after learning that the family had, in fact, lived in Boulder, Colorado. The father denied the allegation. The Colorado child welfare agency was contacted. They verified, in writing, that the father was responsible for the starvation death of a sibling and had served time for it.

-The county agency now reasonably believes that aggravated circumstances exist. What is the aggravated circumstance? What does the agency do and when?

*Response:* Aggravated circumstances exist due to the father's role in the death of the child. The agency must file a petition alleging aggravated circumstances when it reasonably believes that such circumstances exist.

When the Colorado agency verified the death of the sibling, the agency had 21 days to file the petition.

-Is there any court action that the agency may have overlooked in the past?

*Response:* The agency should have filed a petition alleging aggravated circumstances regarding the mother when the child was in placement for three months and the whereabouts of the mother was unknown and she did not claim the child.

#### **Step 10:**

The trainer draws this section of training to a close by emphasizing the importance of beginning court preparation with an understanding of the law.

# **205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court**

## **Section IV: What is Evidence?**

### **Estimated Length of Time:**

1 hour, 15 minutes

### **Rationale:**

The law, fact, evidence trilogy provides a framework for effective preparation for court. In order to successfully present a case in court, Child Welfare Professionals must be able to identify and effectively apply the types of evidence that can be used in court to present the facts of the case to the court. This segment of training helps participants to identify accepted categories of evidence and explore ways of using the different types of evidence for an effective court presentation.

### **Learning Objectives:**

Participants will be able to:

- ✓ Identify three generally accepted categories of evidence.
- ✓ Use different types of evidence for an effective court presentation.
- ✓ Identify the two types of testimonial evidence.
- ✓ Distinguish between an expert and a fact witness.

### **Methods of Presentation:**

Lecture, small group activity, large group discussion, and optional video viewing

### **Materials Needed:**

- ✓ Flip chart paper
- ✓ Masking tape
- ✓ Examples of types of evidence
- ✓ Overhead projector/screen
- ✓ **Overhead #7 (Relevant Evidence)**
- ✓ **Overhead #8 (Types of Evidence)**
- ✓ **Overhead #9 (Housing History)**
- ✓ **Overhead #10 (Periods of Intervention)**
- ✓ **Overhead #11 (Competence to Testify)**
- ✓ **Overhead #12 (Preparing an Expert for Court)**
- ✓ **Handout #7 (Types of Evidence)**
- ✓ **Handout #8 (Preparing an Expert for Court)**
- ✓ **Handout #9 (How to be a Good Witness)**
- ✓ **Video (My Cousin Vinny)**

### **Resources Used:**

Pennsylvania Child Welfare Competency-Based Training and Certification Program. (2000). *The Caseworker in the Courtroom: Preparing and Presenting a Child Welfare Case in Court*. Shippensburg, PA: Shippensburg University.

### **PA Standards:**

IIIC: Service Planning: Write the Plan

## **205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court**

### **Section IV: What is Evidence? (continued)**

#### **PA Standards (continued):**

IIIG: Service Planning: Determine Length of Service

IIIK: Service Delivery: Determine Least Restrictive Setting

IIIO: Service Delivery: Plan Family Visits

#### **CFSR Issues:**

Safety Outcome 1: Children are, first and foremost, protected from abuse and neglect.

Permanency Outcome 1: Children have permanency and stability in their living situations.

Well-Being Outcome 1: Families have enhanced capacity to provide for their children's needs.

#### **Interactional Skills:**

Clarifying Purpose, Function, and Role

Identifying Next Steps

# 205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court

## Section IV: What is Evidence?

### Step 1:

The trainer notes that now that participants have practiced discerning the appropriate facts and researching the applicable law, they move to the third part of the law, fact, evidence trilogy, What is Evidence?

### Step 2:

The trainer asks participants what evidence is admissible in a court of law. The trainer notes that rules of evidence dictate that evidence that is relevant is admissible. Using **Overhead #7 (Relevant Evidence)**, the trainer states that relevancy has two prongs--evidence must be material and probative.

The trainer states that in order to be material, there must be a link between the factual proposition and the substantive law. Participants have already learned the concept of materiality when they worked through the What is the Law? segment. The facts must be connected to the law.

The trainer offers an example. The county agency has excellent evidence that the Smiths do not take their child to church every week. The worker has called every church in town, has queried the child when alone with her, and has even staked out the residence for five hours on several Sundays. The worker is certain there is no Sunday church-going for this family. The trainer asks participants whether the worker can use this evidence to help establish that the child is without proper parental care and control and therefore arguably dependent. The response is that the evidence cannot be used because it is not material. The law does not require a parent to provide religious instruction to children.

The trainer states that the second requirement for evidence is that it must be probative. The classic definition of probative is rather convoluted and difficult to understand. Probative is that the evidence has a tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence. In other words, the caseworker must find the best way to demonstrate the fact he or she wants to use in support of the petition. The task is to find the best way to demonstrate a fact in the field into an admissible piece of evidence in the court.

### Step 3:

Using **Overhead #8 (Types of Evidence)**, the trainer states that there are basically three types of evidence: demonstrative evidence, real evidence, and testimonial evidence. Testimonial evidence is by far the most commonly used.

## **205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court**

### **Section IV: What is Evidence? (continued)**

#### **Step 3 (continued):**

However, there are rich opportunities for a clearer presentation of the case if other types of evidence are used as aids. Child Welfare Participants should think creatively about every fact that they wish to present in court to consider ways to make the facts more real to the court.

#### **Step 4:**

The trainer states that judges are not unlike the rest of the population. In general, people comprehend and remember more information if they are both told it and shown it. Demonstrative evidence is a powerful aid to a good case presentation. It is evidence other than person's oral testimony, but which may help to explain the testimony. Pictures, reports, and letters are examples of demonstrative evidence.

#### **Step 5:**

The trainer states that real evidence is, in essence, a type of demonstrative evidence. Real evidence is an object, a thing, something that exists and is relevant to facts in issue before the court and is produced in court for inspection. The most obvious example of real evidence is the murder weapon in a homicide trial. It is real, it exists, and it is relevant to the facts in issue. In child welfare, examples of real evidence include implements that are used in the commission of child abuse such as a belt, a paddle, a ruler, etc. The trainer may wish to bring and show some of these types of evidence to participants.

#### **Step 6:**

The trainer ensures that participants are seated in small groups of about four to five persons each. The trainer gives each small group a sheet of flip chart paper. The trainer directs participants back to the case of Susan Turner. The trainer asks participants to work with their small groups to compile a list of the evidence that may be available for use in a dependency hearing regarding the Turner children. Participants should ensure that all three types of evidence are reflected. The list of evidence should be written on the sheet of flip chart paper.

#### **Step 7:**

When participants have completed the task, the trainer asks each group to hang its flip chart sheet on the wall and reconvenes the group. The trainer rotates among the small groups, asking each to present its list of possible evidence.

#### **Step 8:**

The trainer distributes **Handout #7 (Types of Evidence)** and notes that there are a variety of types of demonstrative evidence that may be used in court.

# 205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court

## Section IV: What is Evidence? (continued)

### Step 8 (continued):

- Pictures. The adage, "a picture is worth a thousand words" is very apt in child welfare cases. Most finders of fact have had little or no experience in child welfare types of situations and often cannot picture the roach-infested house or unsafe step that the worker is describing. In many cases, if the child had injuries, they will likely have healed by the time of the court hearing. Pictures aid in the worker's and medical personnel's descriptions of the injuries. Photographs are required to be taken in cases of child abuse.
- Letters. Letters are word pictures that serve to document the progression of a case as well as demonstrate the worker's efforts with the client. The trainer should emphasize the need to review the case files for pertinent letters in preparation for court. The trainer encourages participants to memorialize agreements with families in writing. For example, a letter may be written to a family to reflect upon a recent meeting during which the family agreed to take a certain action within a specified period of time. The letter may even be given to the family in person, asking them to sign the bottom of the letter. This can also be an effective tool when developing a safety plan with a family.
- Reports. A well-prepared report provides the court with written materials to review and supports the case plan. There are many kinds of reports that may be relevant, for example, reports from agencies providing foster care to children, parenting education to parents, counseling to members of the family, psychological evaluation, medical report, etc. It is important that reports be well prepared. That is, scribbled case plans will detract rather than add to the court presentation. It is often not the agency that is preparing these reports. However, it is the agency's responsibility to interpret for the report writer the necessity to provide a complete, thorough, and well-written report when it is the intention of the agency to include it as one of the pieces of evidence in a case.
- Charts. Charts may be prepared for a clearer presentation of the case in court. Using **Overhead #9 (Housing History)**, the trainer shows an example of a chart that can be used to support a worker's testimony, allowing the court to follow the testimony more carefully and not get distracted or preoccupied in trying to take notes. Another example of a chart that can be prepared for court is a "year at a glance" calendar on which all of the visits scheduled for a parent are blocked out in yellow and all unattended visits have a red line through them.

Again, this demonstrates clearly the failure of the parent to fulfill the parental obligation to see the child and assists the court in following the accompanying testimony.

## 205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court

### Section IV: What is Evidence? (continued)

#### Step 8 (continued):

- **Poster Size Enlargements.** At times, it may assist the court if the chart is blown up to poster size, put on an easel, and viewed by everyone at the same time in elucidating the testimony of a witness. Using **Overhead #10 (Periods of Intervention)**, the trainer shows participants an example of a chart that may be used in court to illustrate the agency's periods of involvement with a family, each with a different emphasis. If the worker and the solicitor think it is appropriate, such a chart can be enlarged and kept in the court's view throughout the proceeding to assist the court in forming a picture of the totality of the agency's involvement with the family. If the parent argues, for example, that they have had insufficient time and services from the agency to reunify with their children, the visual is there before the court for reference.

Another example of the use of a poster is a city map. For example, a child had been found wandering the streets on a Sunday morning. When the police officer found her, she was about six blocks from home. He took her into emergency custody and the child was placed in foster care. The child remained in care through the informal hearing and was later declared dependent. At the dispositional hearing, the mother argued that there was not a clear necessity to remove the child. Her defense was that the child simply had wandered away and was gone for a few minutes. One point that the worker wanted to demonstrate was that the child had to have been gone for more than a few minutes because of the distance. Further, the child would have had to cross at least three major streets to be found where she was and it was only low traffic and happenstance that the child was not hit by a vehicle or abducted. In a situation such as this, the map is invaluable for a common reference and the court does not have to be preoccupied trying to figure out the geography.

- **Diagram.** An anatomical diagram, for example, can be useful if a physician were testifying to a specific injury to a child.
- **Drawing.** A drawing, for example, might be useful in explaining the location of a bed and play pen in relation to the kitchen in an apartment. Drawings can be prepared in advance or could be drawn on a flip chart during testimony if the need for them was not anticipated.
- **Model.** Models can be used as demonstrative evidence but are not commonly seen in child welfare examples. A physician, for example may be testifying about shaken baby syndrome and can use a plastic model of a head to show the location of bleeding in the child's brain, in the retinas, and under the dura. The physician can also use the model to show the rotational action of the brain during a shake or shake impact or the possible consequences if the shake were more forceful.

# **205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court**

## **Section IV: What is Evidence? (continued)**

### **Step 8 (continued):**

- Animation. The physician in the example above may have a video animation of the rotational action in a child's brain as described. In addition, some agencies, with permission, videotape interviews with victims or parents, visits between parents and their children, or home conditions for use in court presentations. In addition, audio tapes may exist, for example, on 911 calls. A mother, for example, may have made a hysterical call to 911 during an assault by her boyfriend. If the mother later denies the allegation, the tape may be used to provide evidence regarding the violence between the adults in the home.

**Trainer Note:** This may be a suitable time for lunch.

### **Step 9:**

The trainer notes that participants will now explore some details about testimonial evidence. In its general sense, testimony is the statement or statements, made by a witness, under oath, which are related to the question before the court. There are two kinds of witnesses who can testify--fact or lay witnesses and expert witnesses. In child welfare cases, the fact witnesses are usually the caseworkers, relatives of the family, police officers, neighbors, etc. It may be anyone who can provide an observation relating to the action before the court. In child welfare cases, expert witnesses are generally physicians, psychologists, drug and alcohol counselors, therapists, etc. The trainer states that the difference between the two types of witnesses are that once a witness is qualified by the court as an expert, she or he can provide an opinion. An expert witness can perform tests and draw conclusions based on theoretical knowledge, education, and training. A fact witness is generally limited to describe what he or she saw, touched, heard, smelled or tasted.

### **Step 10:**

The trainer notes that, as a general rule, every person has the potential to be competent as a witness. There are two important considerations. First, some relationships are so important that the communication between them is privileged and protected by statute or the common law. Examples of such relationships are the priest-penitent, attorney-client, and wife-husband. If such a privilege exists, certain steps must be taken to attempt to break the privilege and compel the person to testify if the testimony is required. Secondly, in order to testify a witness must be deemed competent. Therefore, if competent and not precluded by privilege, a person may testify.

### **Step 11:**

Using **Overhead #11 (Competence to Testify)**, the trainer explains that a witness is competent to testify if he or she meets five conditions:

# 205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court

## Section IV: What is Evidence? (continued)

### Step 11 (continued):

- has the capacity to perceive (for example, see, hear, touch, smell, taste) accurately events, and the capacity to remember and/or record the events;
- did in fact perceive, record, and recollect the event or series of events;
- declares in court to tell the truth and understands both the concept of truth and the duty to tell the truth;
- is able to recollect the event spontaneously or with the assistance of the recording to refresh the witness' memory;
- has the capacity to comprehend questions and express him or herself understandably, either directly or with a translator.

The trainer observes that, given this definition, most people are competent to testify. Children would have the most difficulty qualifying as competent.

### Step 12:

The trainer notes that there are various considerations by the court in qualifying an expert witness. The trainer distributes **Handout #8 (Preparing an Expert for Court)**. Using **Overhead #12 (Preparing an Expert for Court)**, the trainer notes that when preparing an expert for court, the agency should:

- Have the expert send a copy of his or her curriculum vita or resume in advance to the agency so that it can be given to the solicitor. If time does not permit, it should be brought to court.
- Clarify with the expert the exact and specific area of expertise. The solicitor will have to be able to state this in court with specificity.
- Inform the expert that he or she will be asked a variety of questions in order to be qualified. These may include:
  - education and degrees--where, what, when, with specificity
  - honors in school
  - specialization in a particular area of practice
  - licenses or certifications in the area of expertise
  - years of experience
  - publications
  - familiarity with relevant professional literature
  - number of cases, such as the one before the court, he or she has treated before
  - number of times qualified as an expert in court.

# **205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court**

## **Section IV: What is Evidence? (continued)**

### **Step 12 (continued):**

- Prepare the expert to testify specifically on the case before the court and have with them the specifics needed to provide well-documented testimony.

The trainer adds that the actual preparation of witnesses begins long before the court process. Child Welfare Professionals need to know what they are asking of the expert. It is insufficient, for example, to ask a psychologist to evaluate a client without stating why the worker needs or wants the evaluation. It is also insufficient to ask for an evaluation without giving a history and context for the evaluation.

The trainer offers other examples. If a worker wants a medical opinion as to whether or not the injury to the child is consistent with the history provided by the parent, the worker must ask the physician. It is insufficient to take the child to the doctor "to be seen."

### **Step 13:**

Distribute and review **Handout #9 (How to be a Good Witness)** with the group.

### **Step 14: (optional)**

The trainer notes that the examination by the court to determine whether a witness can be qualified as an expert is called voir dire. The trainer may wish to show a ten-minute clip from the **Video (My Cousin Vinny)**.

In it, Marisa Tomei has extensive experience in her father's garage. She becomes the expert in the case where the exoneration of Joe Pesci's clients depends on a set of tire tracks. The segment is excellent to demonstrate voir dire of an expert, is very funny, and may give participants a little respite after lunch from the rigors of the training.

### **Step 15:**

The trainer closes the segment of training regarding evidence by noting the critical importance of evidence to prove the facts that the agency wishes to present to the court.

# **205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court**

## **Section V: Commencement of Juvenile Court Proceedings**

### **Estimated Length of Time:**

1 hour, 15 minutes

### **Rationale:**

When Child Welfare Professionals have determined that it is necessary to petition the juvenile court, have considered the facts that support this determination, have compared those facts to the law, and have considered whether evidence is available to present those facts to the court, they will be prepared to complete the petition. This segment of training will provide an opportunity for participants to bring together information discussed in this and on the second day of the legal series and apply it to the effective preparation of a petition. Further, participants will be aided in determining proper procedures that must be followed when taking a child into custody.

### **Learning Objectives:**

Participants will be able to:

- ✓ Prepare a petition for filing with the juvenile court.
- ✓ Determine proper procedures when taking a child into custody.

### **Methods of Presentation:**

Lecture, small group activities, and large group discussion

### **Materials Needed:**

- ✓ Flip chart paper
- ✓ Masking tape
- ✓ Overhead projector/screen
- ✓ **Overhead #13 (Preparing the Petition)**
- ✓ **Handout #10 (Juvenile Petition)**
- ✓ **Handout #11 (Procedural Misconduct)**

### **Resources Used:**

Pennsylvania. (2005). *The Juvenile Act, 42 PA C.S., Chapter 63*.

Pennsylvania Child Welfare Competency-Based Training and Certification Program. (2002). *An Overview of the Juvenile Act: A Focus on the Dependent Child*. Shippensburg, PA: Shippensburg University.

### **PA Standards:**

IIB: Service Planning: Select an Appropriate Goal

IIC: Service Planning: Write the Plan

IIIG: Service Planning: Determine Length of Service

IIIK: Service Delivery: Determine Least Restrictive Setting

IIIO: Service Delivery: Plan Family Visits

## **205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court**

### **Section V: Commencement of Juvenile Court Proceedings (continued)**

#### **CFSR Issues:**

Permanency Outcome 1: Children have permanency and stability in their living situations.

Permanency Outcome 2: The continuity of family relationships and connections is preserved for children.

#### **Interactional Skills:**

Tuning in to the Phase of the Helping Process You're in  
Clarifying Purpose, Function, and Role

# **205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court**

## **Section V: Commencement of Juvenile Court Proceedings**

### **Step 1:**

The trainer tells participants that now that they have determined that it is necessary to petition the juvenile court, have considered the facts that support this determination, have compared those facts to the law, and have considered whether evidence is available to present those facts to the court, they are prepared to complete the petition. They will provide an opportunity to bring together information discussed in this and on the second day of the legal series and apply it to the effective preparation of a petition.

### **Step 2:**

The trainer asks participants what three areas must be explained in the juvenile court petition beyond identifying information. The response is the basis for dependency or for dependency and abuse; aggravated circumstances, if they exist; and reasonable efforts.

### **Step 3:**

The trainer ensures that participants are seated in small groups of four or five persons each. The trainer gives each small group a sheet of flip chart paper and markers. The trainer tells participants that they will work with their small groups to prepare a petition for filing with the juvenile court regarding the case of Susan Turner. Using **Overhead #13 (Preparing the Petition)**, the trainer states that each group will:

- determine whether to file for dependency or dependency and abuse;
- cite the relevant parts of the definition(s) for dependency or dependency and abuse;
- explain the facts that support the definition;
- if appropriate, cite the relevant part(s) of the definition of aggravated circumstances;
- if cited, explain the facts that support the definition;
- explain how the agency has met reasonable efforts requirements.

The trainer instructs participants to use The Juvenile Act, The Child Protective Services Law, and material presented in the training to support their efforts. Each group's work should be posted on a sheet of flip chart paper.

### **Step 4:**

When participants have completed their work, the trainer asks each group to hang its flip chart sheet on the wall and reconvenes the large group. The trainer rotates among the small groups, asking each to present the results of its efforts.

## **205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court**

### **Section V: Commencement of Juvenile Court Proceedings (continued)**

#### **Step 4 (continued):**

The trainer and other participants give constructive feedback to the groups at the end of each presentation.

#### **Step 5:**

The trainer distributes **Handout # 10 (Juvenile Petition)** and notes that it is an example of a petition that may be used to allege dependency or delinquency. The example was developed by the Juvenile Court Judges' Commission. The trainer notes that other petitions and court orders are available on the JCJC website:  
<http://www.state.pa.us/jcjc/cwp/view.asp?A=3&Q=392913>.

<b>Trainer Note:</b> This may be a suitable time for a break.
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#### **Step 6:**

The trainer ensures that participants are seated in small groups of four or five persons each. The trainer distributes **Handout #11 (Procedural Misconduct)**. The trainer notes that participants now possess a good understanding of the court process and can discern when mistakes have occurred. The trainer instructs participants to work with their small groups to determine at least nine mistakes that were made in handling the case and cite the section of The Juvenile Act that supports each of their determinations.

For reference of the trainer, the case is:

Peter is a Child Welfare Professional at Newland County Children and Youth Services who is heading into his weekend on call. The first call at 9:00 p.m. concerns Dolores and her two-month-old infant. The caller states that Dolores was wandering around town with her baby and appeared to be disoriented.

Peter located Dolores, who was quite incoherent. The baby was crying, appeared dirty, was not dressed appropriately for the weather, and had a severe diaper rash. Dolores had nowhere to stay and could not go to the local shelter because she was under the influence of a controlled substance. She could not provide Peter with any resources for the baby's care. Peter drove Dolores to a local treatment center where she was admitted. He then took the baby to his office, gathered further information on Dolores and the baby, and contacted the court which awarded him custody. Peter secured a foster home and placed the child.

Dolores is known to the agency. The case record notes that she gave birth to three children. She used cocaine since her husband left her five years ago. Her first child was born six years ago. After Dolores' husband left, the agency placed the child in foster care and eventually terminated the parents' rights to the child. Dolores' second child was born four years ago.



## **205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court**

### **Section V: Commencement of Juvenile Court Proceedings (continued)**

#### **Step 7 (continued):**

- ✓ Paragraph 5: The petition should also include evidence of the mother's cocaine use and should also cite part 10 of the definition due to the previous involuntary termination.  
Section 6302. Definitions
  
- ✓ Paragraph 5: The petition should have been filed on Monday.  
Section 6331. Release from detention or commencement of proceedings
  
- ✓ Paragraph 5: The petition should have alleged aggravated circumstances due to the involuntary terminations.  
Section 6302. Definitions and Section 6334(b). Petition
  
- ✓ Paragraph 6: The informal hearing should have been held within 72 hours after the baby's placement.  
Section 6332. Informal hearing
  
- ✓ Paragraph 6: The mother cannot waive counsel for the child since their interest may be in conflict.  
Section 6337. Right to counsel
  
- ✓ Paragraph 6: The foster parents should have received notice of the hearing.  
Section 6336.1. Notice and hearing
  
- ✓ Paragraph 7: The hearing on the petition must be held within 10 days of filing the petition since the child is in shelter care.  
Section 6335. Release or holding of hearing
  
- ✓ Paragraph 8: Disposition should be held within 20 days of adjudication.  
Section 6341(c). Finding of dependency.

#### **Step 8:**

The trainer congratulates participants on their efforts and asks if there are any lingering questions regarding the juvenile court process.

# **205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court**

## **Section VI: Planning for Permanence**

### **Estimated Length of Time:**

1 hour

### **Rationale:**

For all children served by the child welfare system, but especially for children in the custody of the county agency, the need to achieve permanency for the children in a timely manner is paramount. The Juvenile Act contains provisions which, when combined with best casework practice, can help to achieve timely permanence for children. This can only occur, though, when Child Welfare Professionals can skillfully use the law. This segment of training will assist participants in applying the law regarding permanency proceedings in court.

### **Learning Objectives:**

Participants will be able to:

- ✓ Determine proper procedures for using the juvenile court to help achieve permanency for children.

### **Methods of Presentation:**

Lecture, small group activity, and large group discussion

### **Materials Needed:**

- ✓ Overhead projector/screen
- ✓ **Overhead #14 (Purposes of Permanency Hearings)**
- ✓ **Overhead #15 (Schedule for Permanency Hearings)**
- ✓ **Overhead #16 (Determinations at Permanency Hearings)**
- ✓ **Overhead #17 (Placement Goals)**
- ✓ **Handout #12 (Planning for Permanence)**
- ✓ **Handout #13 (Petition for Permanency Hearing)**

### **Resources Used:**

Pennsylvania. (2005). *The Juvenile Act, Title 42, PA C.S., Chapter 63.*

Pennsylvania Child Welfare Competency-Based Training and Certification Program. (2002). *An Overview of the Juvenile Act: A Focus on the Dependent Child.* Shippensburg, PA: Shippensburg University.

### **PA Standards:**

IIB: Service Planning: Select an Appropriate Goal

IIC: Service Planning: Write the Plan

IIIG: Service Planning: Determine Length of Service

IIIK: Service Delivery: Determine Least Restrictive Setting

IIIO: Service Delivery: Plan Family Visits

## **205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court**

### **Section VI: Planning for Permanence (continued)**

#### **CFSR Issues:**

Permanency Outcome 1: Children have permanency and stability in their living situations.

Permanency Outcome 2: The continuity of family relationships and connections is preserved for children.

#### **Interactional Skills:**

Tuning in to the Phase of the Helping Process You're in  
Clarifying Purpose, Function, and Role  
Identifying Next Steps

# 205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court

## Section VI: Planning for Permanence

### Step 1:

The trainer announces the segment of training by noting that, for all children served by the child welfare system, but especially for children in the custody of the county agency, the need to achieve permanency for the children in a timely manner is paramount. The Juvenile Act contains provisions which, when combined with best casework practice, can help to achieve timely permanence for children. This can only occur, though, when Child Welfare Professionals can skillfully use the law. Participants will now research the law to determine its requirements and how it can be utilized to achieve permanence for dependent children.

### Step 2:

The trainer ensures that participants are seated in small groups of about four to five participants each. The trainer distributes **Handout # 12 (Planning for Permanence)** and asks participants to work with their small groups to answer each of the questions and cite the section of The Juvenile Act which corresponds to each response. (Depending on the group and the time available, the trainer may wish to assign only several different questions to each small group. It is important, though, that each question is addressed.)

### Step 3:

When the participants have completed the task, the trainer reconvenes the large group and rotates among the small groups to determine the correct responses, as per the following:

1. What are the three purposes of permanency hearings?

*Response:* Using **Overhead #14 (Purposes of Permanency Hearings)**, the purposes are:

- to determine or review the permanency plan of the child;
- to determine the date by which the goal of permanency for the child might be achieved;
- to determine whether placement continues to be best suited to the safety, protection, and physical, mental, and moral welfare of the child.

Section 6351 (e) (1)

2. If the court finds that aggravated circumstances exist in the case of a dependent child, what are the two decisions from which the court can choose in making its determination?

# 205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court

## Section VI: Planning for Permanence (continued)

### Step 3 (continued):

*Response:* The court may determine:

-that reasonable efforts to prevent or eliminate the need for removing the child from the child's parent, guardian or custodian or to preserve and reunify the family shall be made; or

-that reasonable efforts to prevent or eliminate the need for removing the child from the child's parent, guardian or custodian or to preserve and reunify the family shall not be made.

Section 6351 (e) (2)

3. If there is an adjudication of dependency at which the court determines that aggravated circumstances exist and that reasonable efforts do not need to be made, what is the next step?

*Response:* Hold a permanency hearing within 30 days.

Sections 6351 (e) (2) and (3) (ii) (A)

4. Permanency hearings must occur within six months of what occurrences?

*Response:* Using **Overhead #15 (Schedule for Permanency Hearings)**, permanency hearings must be held within six months of:

-the date of the child's removal from the parent, guardian or custodian or a transfer of temporary legal custody or other disposition, whichever is the earliest; or

-each previous permanency hearing until the child is returned to the parent, guardian or custodian or removed from the jurisdiction of the court.

Section 6351 (e) (3) (ii)

5. Permanency hearings must be held within 30 days of what occurrences?

*Response:* Using **Overhead #15 (Schedule for Permanency Hearings)**, permanency hearings must be held within 30 days of:

-an adjudication of dependency at which the court determined that aggravated circumstances exist and that reasonable efforts to prevent or eliminate the need to remove the child from the child's parent, guardian or custodian or to preserve and reunify the family need not be made or continue to be made;

## 205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court

### Section VI: Planning for Permanence (continued)

#### Step 3 (continued):

- a permanency hearing at which the court determined that aggravated circumstances exist and that reasonable efforts to prevent or eliminate the need to remove the child from the child's parent, guardian or custodian or to preserve and reunify the family need not be made or continue to be made and the permanency plan for the child is incomplete or inconsistent with the court's determination;
- an allegation that aggravated circumstances exist regarding a child who has been adjudicated dependent; or
- a petition alleging that the hearing is necessary to protect the safety or physical, mental or moral welfare of a dependent child.

Section 6351 (e) (3) (ii)

6. What matters must be determined at permanency hearings?

*Response:* Using **Overhead #16 (Determinations at Permanency Hearings)**, the matters to be determined at permanency hearings are:

- the continuing necessity for and appropriateness of the placement.
- the appropriateness, feasibility, and extent of compliance with the permanency plan.
- the progress made toward alleviating the original circumstances necessitating placement.
- the appropriateness and feasibility of the current placement goal for the child.
- the likely date by which the placement goal for the child might be achieved.
- whether reasonable efforts were made to finalize the permanency plan in effect.
- whether the child is safe.
- if placed outside PA, whether the placement is best suited to the welfare of the child.
- whether independent living services are needed to assist a child age 16 or older.
- whether a termination petition has been filed and the identification, recruitment, processing and approval of a qualified family to adopt the child has occurred if the child has been in placement at least 15 of the last 22 months, or aggravated circumstances exist and reasonable efforts are not needed (unless exceptions apply.)

Section 6351 (f)

7. What are the exceptions to filing a petition to terminate parental rights?

*Response:* The exceptions are:

- the child is being cared for by a relative best suited to the physical, mental, and moral welfare of the child;

# 205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court

## Section VI: Planning for Permanence (continued)

### Step 3 (continued):

- the county agency has documented a compelling reason for determining that a petition to terminate parental rights would not serve the needs and welfare of the child; or
- the child's family has not been provided with necessary services to achieve the safe return to the child's parent, guardian or custodian within the time frames set forth in the permanency plan.

Section 6351 (f) (9) (i), (ii), and (iii)

8. What are the five goals for a child from which the court will select in making a determination at a permanency hearing?

*Response:* Using **Overhead #17 (Placement Goals)**, the goals for a child are:

- return to the child's parent, guardian or custodian;
  - place for adoption;
  - place with a legal custodian;
  - place with a fit and willing relative; or
  - place in another living arrangement intended to be permanent in nature.
- Section 6351 (f.1)

9. What is the mandated rank order of these goals?

*Response:* Using **Overhead #17 (Placement Goals)**, the goals are to be considered in the following order:

- return to the child's parent, guardian or custodian;
- place for adoption;
- place with a legal custodian;
- place with a fit and willing relative; or
- place in another living arrangement intended to be permanent in nature.

Section 6351 (f.1)

The trainer ensures that participants study the complete text of each of the possible goals for a child. The second goal, place for adoption, for example, states that this goal is considered in cases where return to the child's parent, guardian or custodian is not best suited to the safety, protection, and physical, mental, and moral welfare of the child. The third goal, place with a legal custodian, is only considered in cases where the return home of the child or being placed for adoption is not best suited to the child's welfare, and so on.

The trainer points out to participants that independent living is not listed among these goals. That is because independent living is a service, not a goal.

# **205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court**

## **Section VI: Planning for Permanence (continued)**

### **Step 3 (continued):**

10. What additional evidence must the county agency present to the court at a permanency hearing?

*Response:* Evidence of conduct by the parent that places the health, safety or welfare of the child at risk, including evidence of the use of alcohol or a controlled substance that places the health, safety or welfare of the child at risk, shall be presented to the court by the county agency or any other party at any disposition or permanency hearing whether or not the conduct was the basis for the determination of dependency.

Section 6351 (f.2)

11. In addition to permanence, what other goals of the Adoption and Safe Families Act must permanency hearings strive to meet for children?

*Response:* Safety and well-being. Pursuant to permanency hearings, the orders the continuation, modification or termination of placement or other disposition which is best suited to the safety, protection, and physical, mental, and moral welfare (or well-being) of the child.

Section 6351 (g)

### **Step 4:**

The trainer congratulates the participants on their efforts and notes that they, and the training, have come full circle with a focus on safety, permanence, and well-being.

### **Step 5:**

The trainer distributes **Handout #13 (Petition for Permanency Hearing)** and notes that this model petition is another resource available from the Juvenile Court Judges' Commission.

### **Step 6:**

The trainer ensures that any remaining questions of the participants are addressed before moving to the closure of the day.

# **205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court**

## **Section VII: Evaluation and Closure**

### **Estimated Length of Time:**

15 minutes

### **Rationale:**

Effective training sessions provide an opportunity for participants to give feedback regarding the training content and the trainer's behavior so that the training can be improved for future sessions. Participants will benefit from recapping their key learning points as they embark upon the next step of transferring them to the work place.

### **Learning Objectives:**

Participants will be able to:

- ✓ Determine the effectiveness of the training.
- ✓ Recognize new skills learned in the training.

### **Methods of Presentation:**

Trainer facilitation, individual activity, and large group discussion

### **Materials Needed:**

- ✓ Training Program Evaluation Form
- ✓ **Handout #14 (Transfer of Learning)**
- ✓ **Handout #15 (Bibliography)**

### **Resources Used:**

None

### **PA Standards:**

None

### **CFSR Issues:**

None

### **Interactional Skills:**

None

# **205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court**

## **Section VII: Evaluation and Closure**

### **Step 1:**

The trainer reviews the *what's in it for me* activity completed early in the training to highlight key learning points and determine if there are any remaining issues to address or refer to the remaining part of the legal series, other trainings, and/or other resources. The trainer may wish to retain items that pertain to part four of the legal series.

### **Step 2:**

The trainer distributes **Handout #14 (Transfer of Learning)** and has participants fill in their responses to the questions. Allow a few minutes for them to do this individually and then have them discuss in their small groups some of the ways they expect to transfer their learning from the training to their everyday work. Then ask a few volunteers to share their plan with the larger group.

### **Step 3:**

The trainer distributes the evaluation form and asks participants to complete it. When complete, the trainer collects all evaluation forms for submission to the Training Program.

### **Step 4:**

The trainer distributes **Handout #15 (Bibliography)** as a reference to participants.

### **Step 5:**

The trainer reminds participants of the next session of the legal series for those who will be continuing with the fourth part. The trainer closes the training by offering specific compliments to the group for such things as their participation, attention, cooperation, etc. and wishes them well in the application of their new learning.

# **205: Safety, Permanence, and Well-Being: Legal Mandates in Pennsylvania, The Juvenile Act and Going to Court**

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