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July 27, 2011

Dear Colleagues:

The Colorado Judicial Institute is pleased to announce the release of *Parent Voices: The Other Side of the Bench* which is a study exploring the court experience of parents involved in dependency and neglect cases in Colorado. The study was a project of CJI's Family Law Committee, as a follow-up to their 2007 study *A Voice of Their Own*, which explored the court experiences of youth in foster care.

This study was co-sponsored by Mile High United Way and the Colorado Judicial Institute in an effort to gain better insight to Colorado's overall child protection systems while also working toward achieving safety, stability and the overall best interest of children.

We welcome your comments and suggestions.

Best Wishes,

Otto K. Hilbert, II, Chair
Colorado Judicial Institute



Parent Voices: The Other Side of the Bench

Perspectives of Parents Involved in Court Cases Concerning Dependency

Published by the Colorado Judicial Institute Family Law Committee



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Perspectives of Parents Involved in Court Cases Concerning Dependency

**Published by Colorado Judicial Institute
Family Law Committee
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This study was sponsored by Colorado Judicial Institute and Mile High United Way.

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The mission of the CJI Family Law Committee is to identify, promote and participate in court models and projects that support and produce successful outcomes for children and families.

The mission of the Colorado Judicial Institute is to preserve and enhance the independence and excellence of Colorado courts, to further public understanding of the Colorado judicial system, and to ensure that the courts meet the needs of the people.

*"Your most unhappy customers are your greatest source of learning."
-Bill Gates*

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Introduction

In 2007, the Colorado Judicial Institute’s Family Law Committee published a study called **A Voice of Their Own: Youth Perceptions of How They Are Represented in Court Decisions Regarding Foster Care and Other Placement**, which explored the experiences and perspectives of youth in and emancipated from the Colorado foster care system. The study provided insight into the perceptions of the youth regarding their voice and representation in the court process, and was distributed to judges, Guardians ad Litem (GALs) and other court and child protection stakeholders statewide. The study resulted in increased interest and further inquiry into the court experience of parents involved in the same court systems in cases of dependency and neglect.

In April 2011, Colorado Judicial Institute’s Family Law Committee completed **Parent Voices: The Other Side of the Bench—Perspectives of Parents Involved in Court Cases Concerning Dependency**. This study explores the experience of parents who have been involved in dependency and neglect proceedings, and seeks to lend insight for judges and court stakeholders as they work toward systemic improvements on behalf of children and families.

This area of study is important and necessary because family cases comprise such a significant portion of court time, yet very little research is available regarding the court experience from the perspective of parents involved in dependency cases. The safety and well-being of the child should be the highest priority in dependency and neglect (D&N) cases, and the courts and the child welfare system play a significant role in determining outcomes and treatment options. Families involved with D&N cases have varying roles and options depending on the specific details of the case, philosophies of the court and stakeholders, and resources within the geographic region or judicial district.

Background

According to the Pew Commission on Foster Care, in order to safeguard a child’s best interests in D&N proceedings, children and their parents must have a direct voice in court, effective representation, and the timely input of those who care about them.ⁱ While many courts realize the importance of prioritizing this outcome, they are simultaneously challenged by increasing caseloads, attorney caseloads, lack of time to consider complex cases, turnover, lack of appropriate training and lack of collaboration with other parts of the system.ⁱⁱ

Over 50 percent of all district court cases in Colorado involve families.ⁱⁱⁱ Courts play a pivotal role in decision making around placement and safety issues for children and families involved in D&N cases. Court decisions determine the path of the child, which may or may not involve the termination of parental rights, placement outside the home temporarily or permanently, mandatory treatment (mental health, substance abuse, family therapy and others types of treatment), and the length of time the child or children are involved in the court system. These decisions are directly and indirectly impacted by court caseloads and capacity, data and accountability systems, cross-system communication and collaboration and judicial training and expertise.^{iv}

In FY 2010, Colorado courts heard 1,462 D&N cases and 2,106 Expedited Permanency Placement (EPP) cases.^v D&N cases are ones involving the alleged abuse and or neglect of a child or children. D&N cases are civil cases, not criminal cases. Parents involved in D&N cases are entitled to legal counsel throughout the life of the case, and do have access to free representation if they meet certain low income specifications. Children involved in D&N cases are placed under the jurisdiction of juvenile court for their protection and safety. EPP cases involve shortened timelines for holding court hearings involving children from birth through six years of age.^{vi} D&N cases involve one or more of the following characteristics:

- A parent or guardian abandons, mistreats or abuses a child.
- A parent or guardian allows another person to mistreat or abuse the child and does not take steps to stop the abuse or prevent it from happening again.
- The child lacks proper care through the actions or inactions on the part of the parent or guardian.
- The child's environment is unsafe.
- The parent or guardian does not provide the child with necessary education or medical care.
- The child is homeless or without care through no fault of the parent or guardian.
- The child has run away from home or is beyond the control of the parent or guardian.^{vii}

D&N cases usually begin by the reporting of suspected abuse or neglect by a concerned party or a mandatory reporter. Mandatory reporters are people who are legally required to report abuse or neglect, including medical professionals, social workers, law enforcement officials, fire fighters, victim advocates, school personnel, any commercial film or photogenic print processor who observes materials depicting sexual conduct involving children, and caretakers of children including child care or foster care providers.^{viii} While mandatory reporters must report suspected abuse and neglect, anyone can report suspected or observed abuse or neglect at any time. Reports are usually made directly to law enforcement or county departments of human services, where investigations can be initiated. The report becomes a D&N case once a petition has been filed by a county attorney (or in Denver, a city attorney).

The role of the court in D&N cases involves many stages and stakeholders including parents. Once named in a D&N case, parents are referred to as "respondent parents". Other stakeholders usually include a judge or magistrate, attorneys (county attorney and respondent parent counsel), county caseworkers, Guardian(s) Ad Litem (GAL), and sometimes a Court Appointed Special Advocate (CASA), and D&N Case Coordinators. Each stakeholder has a role in representing either the child or the respondent parent(s). The judge or magistrate's role is to guard the legal rights of all parties while making decisions that lead to child safety, permanency and well-being.^{ix}

According to the 2007 Respondent Parents' Counsel Task Force Statewide Needs Assessment: Final Report^x, respondent parent counsel (RPC) interaction with the client is perhaps the most significant component of case preparation, yet because of time, resources, compensation, and

expectations, adequate client time is limited. While this **Parent Voices Study** does address some representation and RPC issues, it is not solely focused on RPC representation, and seeks to explore the more comprehensive court experience including interaction with the judge and utilization of child welfare services. There are also other components of the court process that are not included in this study solely due to the need to limit scope of focus. **The findings from this study are intended to lend insight about other areas ripe for future research in the field of children and families involved in D&N cases.**

Methodology

Data for this study was collected both quantitatively using a survey, and qualitatively through individual interviews. Before data collection began, the study design and data collection instruments were reviewed and received IRB (Institutional Review Board) approval from the Internal Review Board of the Partnership for Families and Children, to ensure the safety and ethical treatment of participants in the study. Participation in the study was completely voluntary and confidential. All participants received informed consent forms explaining the purpose of the study, its confidential nature, and mechanisms for filing concerns or complaints about the study. All participants were asked if they understood the items outlined in the informed consent form, and signed the form to provide consent to participate. Participants were offered a \$5 gift card upon completion of the survey and a \$10 gift card upon completion of the individual interviews. Surveys were made available both in paper copy as well as online. Surveys and consent forms were available in both English and Spanish.

Participants for the study were recruited using a variety of techniques. Emails announcing the survey and inviting participation were sent to judges and respondent parent counsel from the State Court Administrator's Office on behalf of Colorado Judicial Institute, emails and calls were initiated to Family Court Facilitators, and a variety of non-profits advertised and/or promoted the opportunity to participate in the survey. Recruiting participants for this study was extremely challenging, largely due to confidentiality issues, accessing respondent parents, and perhaps also due to stigma, shame and/or anger issues around D&N cases. Difficulty recruiting participants may also be partially due to court staff decisions to not distribute because of being too busy or other reasons.

The survey consisted of 41 questions: 29 using a rating scale of 1 to 4, 8 multiple choice questions about demographics, 2 yes or no questions, and 2 fill in the blank questions. The final question on the survey was open-ended, asking participants to share any additional comments or information to supplement the survey information. (The survey questions are set forth in Appendix A to this document.) Surveys did not include names of participants, and were numbered with unique identifiers for data tracking and to preserve confidentiality.

The individual interviews were initiated if the participant indicated willingness to be considered for an interview. The interviews took place in person or by phone, according to the preference of the participant. Participants again reviewed and signed consent forms to protect confidentiality. Interviewees were selected at random in various parts of the state to reflect geographic diversity.

There were 70 survey participants and 7 individual interviews. The following summarizes key findings from the survey, presenting survey results followed by individual interview results. A discussion of both and recommendations for future areas of exploration also follow. (Survey questions attached, Appendix A)

SURVEY RESULTS:

Key Findings About Court Process:

- 58% of participants felt their voice was not considered in court.
- 53% of the participants claimed to understand what was happening in court and claimed to understand what was expected of them in court.
- 70% felt they did not have the opportunity to share input they felt was important or relevant during the court process.
- 60% felt the judge did not consider their input, while 46% felt the judge did not consider their attorney's input.
- 66% said there were things they wanted to say in the court process but they were not given the chance to share their input.
- 58% felt their life situation was not accurately represented in court.
- 45% felt the court process was explained to them.
- 48% felt they were treated with respect during the court process.
- 48% felt the judge was working in the best interest of their family.
- 38% did not understand the language used in court (Note: 18% of respondents were Hispanic and all but 1 of the respondents spoke English fluently, and the Spanish speaking respondent completed the survey in Spanish.)
- 36% thought that their questions about the court process had been answered.
- 60% claimed they did not know how to get their questions answered in court.

More than 70% indicated that they did not have the opportunity to share input they thought was important or relevant in the court process.

Key Findings About Representation / Attorneys and/or Advocates:

- 74% of respondents claimed they had an attorney.
- 51% thought their attorney made an effort to understand their situation.
- 50% felt that their attorney effectively represented them in court.
- 51% felt their attorneys were working for the best interest of their family.
- 32% claimed that other advocates (besides attorneys) represented them in court, while 71% claimed that other advocates represented their children in court.

Key Findings About Court Case Outcomes:

- 63% received services related to their child welfare case, and 39% found child welfare services to be helpful.
- 27% agreed that they were involved in creating their case plan.
- 43% felt that the court decisions were made in the best interest of their children.

- 35% were reunified with their child(ren); 17% had child(ren) in a placement with a plan to reunify; 9% of the children were permanently placed outside of the participant’s home; 5% of the children had a case plan to be adopted; and 34% of the families checked “Other” to describe their case conclusion.

Demographic Data About the Survey Participants:

- 74% were biological parents in the case; 10% were relatives of the children in the case; 0% were foster parents; 3% were adoptive parents; and 13% were “Other”.
- The amount of time that had passed since they were involved in the D&N case(s) was: 49% were 0-1 year from their case; 9% were 1-2 years from case; 5% were 2-3 years from their case; and 37% were 3 or more years from their case.
- 24% of participants said that *their* parents had been involved in the court system with regard to their care of you (the participant) during their childhood or youth years.
- The marital status of participants: 26% married; 21% divorced; 12% separated; 34% single; and 7% widowed.
- Ethnicity of participants: 13% American Indian; 0% Asian; 2% Black or African American; 18% Hispanic/Latino; 0% Native Hawaiian or Pacific Islander; 80% White; and 0% Unknown. (some participants indicated more than one ethnicity.)
- Participant’s age at the time of the D&N case: 1.6% were 15-18 years old; 1.6% were 18-22 years old; 13.1% were 22-26 years old; 8.2% were 26-30 years old; 8.2% were 30-34 years old, and 67.2% were 34 years or older.
- Approximate annual income of participants: 44.3% earned \$0-\$10,000; 14.8% earned \$10,000-\$15,000; 3.3% earned \$15,000-\$20,000; 11.5% earned \$20,000-\$25,000; 0% earned \$25,000-\$30,000; 4.9% earned \$30,000-\$35,000; 4.9% earned \$35,000-\$40,000; 3.3% earned \$40,000-\$50,000; and 13.1% earned \$50,000 or more annually.
- Surveys were received from the following counties: Denver, Jefferson, Larimer, El Paso, Morgan, Adams, Weld, Huerfano, Douglas, Arapahoe, and Routt.

Themes and Key Remarks in Optional Comments Section:

“My attorney does not return calls.”

“No one explained ICWA (Indian Child Welfare Act) to me or the caseworker.”

“Our son was removed from our care because of my husband’s PTSD from the war and his risks of relapse. Our son died in the care of DHS in foster care... we have never been made aware of review panel investigating his death.”

“The system creates a “Catch 22” for parents involved especially single parents. Without 100% custody, I am not eligible for child support, TANF, WIC, most housing programs, etc. If I had these things in place, I would have been successful a long time ago. After my son was born, I got a good job. But with court ordered visitation from 9:30-10:30 three days a week (because afternoon times are for school aged kids) I didn’t last 2 months. What employer should have to put up with that? So I lost my job and then my house of 5½ years, my truck of 5 years, and my driver’s license (because I couldn’t afford the child support I owed) which made it harder to find

work. I haven't been gainfully employed since, and spent most of the last year homeless. They absolutely destroyed my life."

"As a maternal grandfather, I have legal custody of 1 of my 4 grandchildren. I was only given a GAL- not an attorney to represent me. My daughter and her kids are Native American. This is an ICWA case, but the attorneys, DHS, and the magistrate do nothing about it."

"I am grateful for the way my case went... only the intake social worker was hard to work with. Other than that, I am grateful for my experience."

The survey results indicate that more than half of the respondents did not feel their voices were heard in court, and more than 70% indicated that they did not have the opportunity to share input they thought was important or relevant in the court process. While 74% of the respondents had an attorney, only half of them felt their attorney effectively represented them and their family's best interest in court. While 63% received child welfare services, only 39% found those services to be helpful.

Interesting themes that emerged from the demographic data include:

- More than 67% of the respondents were 34 years or older at the time of their D & N case;
- 87% of respondents report making less than \$50,000 per year, and 74% make \$25,000 or less per year.
- 24% of respondents report that their parents were involved in D&N proceedings when they were children.

INDIVIDUAL INTERVIEWS:

Individual interviews were conducted with seven participants. Six of the interview participants were selected at random, while one was purposefully selected because her involvement as a child of a D&N case who now has a child involved in the system. This case was added to the interview section intentionally because nearly a quarter of survey respondents reported being children of parents with D&N cases, which is a significant percentage of the data collected in this study.

"I didn't want to be stuck in my bed with a (crack) pipe in my mouth yelling at my kids outside the door— but I didn't know how to stop."

Interview questions were open-ended general questions seeking to gain more information about the parent's experience in court, including what worked well, what didn't work well, thoughts about representation and services provided, what would have made court experience better, and what advice they would give to attorneys, judges and other parents in D&N cases. (The questions are set forth in Appendix B.) It is acknowledged that the input from these interviews only reflects and represents the perspective of the parents, and does not necessarily represent the perspectives of the courts, human services, or other case stakeholders.

Notes from the interviews have been coded to indicate themes or commonalities. The following section provides quotes and summaries from each interview, and then summarizes interview themes and key points of the study. (Please note that to protect confidentiality, the names provided in this report are not the actual names of the participants.)

“Tammy”

Tammy’s court experience is unique because she self-referred to social services. After many years battling mental illness, her use of prescription medicine had spun out of control and was only worsening the effects of her bi-polar disorder and depression. She was in her early 20’s, caring for her pre-school aged daughter when she made several calls to social services seeking mental health assistance, and receiving none. She reports that the lack of involvement or returned calls from caseworkers posed danger to her and her daughter’s safety, but she finally received attention from a case worker who initiated her involvement in the system.

“I was scared I was going to hurt my daughter. She was 4 at the time and she was watching me cut myself and hurt myself in ways I won’t even repeat... she saw me take so many drugs and I’d swing from anger to crying to destroying things... she didn’t have any structure at home and was up at all hours watching TV and stuff... she was starting to act out herself at other children, and was starting to have a lot of accidents way after she was potty trained... I remember calling for help and crying asking social services to help me so I wouldn’t hurt my daughter. I finally reached someone who responded and that was the first step. They removed her and put her in the care of my mother, where she still lives—and its working great. I’m healing and she is doing much better too. I get to see her regularly. I just couldn’t give her what she needed until I got better myself. It’s a lot of hard work, but I’m doing it and I love it.”

Tammy lives in Jefferson County and was court ordered to participate in a Department of Human Services group called Parent Partners. She credits Parent Partners with helping her navigate the system and helping her stabilize and maintain her personal safety. Parent Partners engaged her in several life skills classes at the Mental Health Center for her recovery and sustained mental health for the past two years. The classes have helped her learn how to manage her mental health and substance abuse issues and have also taught her life skills. Parent Partners continues to help her work alongside other parents who are also trying to change and grow, and she says she credits her healing to the DHS and court ordered services. She is now working two jobs and wants to start community college classes, and visits her daughter regularly.

“Kristine”

Kristine is currently involved in her third D&N case (each in different Colorado counties), this time as a grandmother caring for her daughter’s children who were removed because the grandchild was left with a babysitter that was relatively unknown to the family, and the child suffered abuse including cigarette burns to the head under her care.

Kristine’s first two D&Ns involved her own children as the direct result of her own drug use and selling. Her first D&N was difficult because she had a caseworker who “didn’t listen to anything I tried to say. I was just a piece of paper in a file to her.” Since then, the second D&N case went much better because it occurred at the time she was thinking about getting clean. (Her second

D&N was part of her recovery, and the third D&N was her daughter's case, and she is the grandparent now caring for the children involved in the D&N.)

"I hit rock bottom right before I found out I was pregnant with my son—my third child. I was trying to figure out how I was going to get clean and then another arrest led to court ordered treatment—intense outpatient rehab. Being a recovering meth addict, once I got clean I was a totally different person. I was a mother to my kids and not just a friend anymore. My oldest daughter had seen so much by then that she couldn't handle it and ran away and kept using. And I have my grandchildren now, and I don't want them to go through what my older children went through... I celebrated 9 years sober last week, and my son is 8½. I know what I did to my two older daughters—and my oldest is still using. But my middle daughter is now clean, and she calls me every day... she tells me she loves me and forgives me for what I did."

Kristine has been heavily involved with Parent Partners (Jefferson County) for many years and is now in a mentoring and leadership role to help other parents.

"I've seen many changes first-hand in the courts over the years—and the changes are for the better. But I also hear a lot of parents who don't feel listened to—and I also know those same parents are terrified to speak up because they are afraid they will lose their kids. I remember that feeling—when I was in treatment and pregnant with two kids at home, they (the court) said I needed a job. I spoke up that it was too much, and I kept pushing without being rude while showing them I was going to classes, staying clean and taking care of my children. We were paying court fees and getting better, and the judge saw that and worked with us. Parent Partners can help them find that voice that I found. One of the things that helps me stay clean is sharing my story. In Parent Partners, I see people where I was and I don't ever want to be there again."

Kristine's advice for judges: *"They need to look at people case by case rather than just by the paperwork. What are the circumstances? Was it drugs? Job loss? View each case individually and open up and listen... there is usually a way."*

"Amber"

Amber's case was still open at the date of publication of this report, and was due to close within days of the report's publication. Amber's case involves years of substance abuse (crack cocaine) and a resulting D&N regarding the care of her three children (two teen girls and one 8 year old son).

"I'm 10 months clean and am learning that relapse is a process and you have to work to stay clean. I didn't really ever like using—it just happens. I had court ordered treatments and found NA (Narcotics Anonymous) on my own and I know that if I put as much into my treatment as I put into my using—I'll go far. I used to go to AA meetings and come home to everyone using and that's hard."

"What has worked well for me in DHS has been the staff except for one caseworker. She removed my son without even one home visit. My oldest daughter is our biggest struggle—that's

where we needed help but they didn't listen. My kids were all in school and making good grades, and I never used around them at home. So I told the caseworker that I'd do all my homework-triple time—to get my son back and keep him home. It wasn't his fault and I told him that when he was removed... it was my fault and I had to fix it.”

“My other social workers were awesome and were not all about taking my kids away. They let me prove myself and make it so I can actually achieve what I need to. We live in the projects, and I am 10 feet away from the nearest drug dealers in the hood—and I've kept that poison out of my body for 10 months now. I asked God for help and He gave it to me, and I don't want to go back there. I was a living dead person when God answered my prayers. I didn't say I liked the way that God fixed me along the way—but it needed to happen and social services got involved and I am grateful.”

“I didn't want to be stuck in my bed with a (crack) pipe in my mouth yelling at my kids outside the door—but I didn't know how to stop.”

Amber's advice for parents facing D&N cases is to *“do whatever it takes to not use or drink, and open your ears to get whatever you can out of it. Don't think you can fool the system—they will find out. Isn't it time you cared for your family and got help? I prayed for help and the result is awesome.”*

Amber's input for attorneys is to stay in touch with clients. *“My attorney never called me or returned my calls- ever.”* As for judges, Amber suggests *“Give people a chance before you pull their rights. It's not easy... some of these cases are just complicated and sometimes people do clean up and get on track and lives really can change. Judges should look at that.”*

“Cheyenne”

Cheyenne's case involves substance abuse, and she is currently involved in a drug treatment program, parenting classes and works with a counselor. Her son was never removed, but the possibility of his removal prompted her to stop using.

“I was a pot head and I quit the second the court was involved. I have a lot of pain but I am now 98 days clean. I sure hope I can keep it up. He (my son) knew I was stoned and he didn't like me like that... I don't want to go back to that. I was using marijuana for so long and now I'm clean. Magistrate Kirkman is one of the reasons I've been able to do so well. If I was to relapse—I couldn't look her in the eye. I jeopardized my relationship with my 7 year old son just to smoke marijuana. I can't let him down like that anymore.”

Regarding challenges of the court process, Cheyenne cites transportation as an issue. She is required to attend drug treatment classes, parenting classes and court dates all while being a single parent with no extended family to help, and maintaining a job cleaning houses. She was quick to explain that DHS also offers assistance for transportation including cab or bus fare when needed, which she greatly appreciates. However the issue of arranging transportation all the time presents ongoing challenges.

Cheyenne's experience of the court process is extremely positive overall.

“Though the parenting classes are sort of lame, overall the services have been helpful to me. The parenting classes cover things like first aid and calling 911 and everyone in the room knows this stuff. That's not what we need but we appreciate the free meal every week and time together—we are glad they are there for us. What's helped me the most is AA and Magistrate Kirkman who is compassionate and warm... she is so good to my son and he loves seeing her. She wants to see you make it through this program. She'll work with you. For example, she learned that my son was the product of rape. Once she learned that, she immediately changed my court dates so that I would never have to see my son's father (who is still in the picture but not significantly). She really tries to help.”

Cheyenne's advice for other parents involved with D&N cases is to *“talk to the judge if you are having trouble getting to court or managing your program. That's what they are there for. And then work your program.”*

“Elizabeth”

Elizabeth had a son at age 14 and was living with her single father who was an alcoholic and abusive to her. By age 16, Elizabeth was attending high school and was reported to human services for bruises on her arms which were caused by her father. Human services investigated the case and removed her baby, but did not remove Elizabeth from the home. The baby was placed with Elizabeth's aunt. Elizabeth tried to move in with her mother, but her mother also had addiction issues and “just couldn't deal.” Elizabeth then went to Family Tree Shelter for 61 days and left there to stay with a friend's family who helped her. They became certified foster parents and Elizabeth was doing very well while living with them. Elizabeth entered an agreement with human services and the judge, that if she got her high school diploma and a job, she could regain custody of her son. She succeeded with both, and is now a student at Front Range Community and works part-time. She has another child, and she wants to finish her B.A. to become a social worker.

“It was hard... really hard, because my mom didn't want me and my dad was bad to me. What helped me the most was the caseworker and my GAL. Between them, they made court easy by doing home visits at the foster parents' house.”

“The worst part was that my son was removed in the first place, and they didn't remove me too. It just didn't make sense... it wasn't my fault, it was my father's fault.”

“My court process was good because of my caseworker and GAL. I'm in a program through Adams County that helps youth who are leaving the system and it's been great. CCAP (Colorado Child Care Assistance Program) helped with daycare because daycare is really expensive. Now I am having trouble paying for it because I lost benefits because I am enrolled in school. I am lucky to have some help with child care from my aunt and (former) foster parents... I don't know what I would do without them.”

Elizabeth's advice for other parents involved in D & N cases is to do everything possible to work with your caseworker. *"Those people have everything in their hands. If you work with them and they like you, they help you get what you need. And I know it's hard sometimes, but it's your only choice if you want your kids back."*

"Donna"

A nearly two hour interview with Donna revealed a lifetime of violence and pain. She was abused physically and sexually as a child and was in the child protection system herself. She was raped and beaten severely in her early 20's, leaving her with psychological trauma and chronic back pain. Other episodes of domestic violence left her with visible scars on her neck, which she clearly did not wish to discuss. She struggled with prescription drug addiction which began due to pain management for back pain and other issues. She was reported to human services for allegedly abusing her 6 year old son. Larimer County Human services removed her son and her parental rights were terminated. Her son was adopted and she has not seen him in years. Her husband was also involved in the alleged abuse, but the details around his role in the case as well as in the home were unclear during the interview. He did not live with Donna full time, but was involved with her throughout the raising of their son and to some degree after their court involvement.

"I don't believe anything went well with my court case over my son. I made mistakes and needed help, but I never did the things they said I did to my son. When DHS got involved, they alleged things that just weren't true. They said my husband did things to my son but I didn't do what they said I did. I would call and ask what I could do to get my son back, and they would tell me I was doing everything right... They twisted things I said and they thought I was stupid... It was just humiliating."

"I cannot stress this enough: I did not want him to feel what I felt as a child. When you are abused, you sense things about people... I knew they weren't listening to me and I knew they were just writing me off... I am lucky I survived my childhood. I'm lucky my mom didn't kill me. But it wasn't the same at all for my son. He was loved."

When asked what she would like to share with judges, she replied *"I would ask them to consider that the goal is to reunify, not destroy. They are supposed to be impartial, and should not just rely on what they are hearing from DHS. I'm not trying to minimize any mistakes I made, but I did do everything they told me to try to get him back and it still wasn't enough. They should at least give parents a chance. I would never wish this on anybody. I feel like the system failed us. There is never a day that goes by that I don't think about and miss my child."*

As the interview was coming to a close, she shared a poem she had written for her son and permitted me to copy it and share it if relevant. It is copied below.

I Love You

I love you not only for what you are, but for what I am when I am with you.

I love you not only for what you have made of yourself, but for what you are making of me.

**I love you for passing over all my foolish and weak traits that you can't help but see.
I love you for drawing out into the light my beauty, that no one else has looked quite far
enough to find.
I love you.**

Donna unexpectedly passed away a few weeks after this interview.

“Stacy”

Stacy and her husband had drug addiction issues and were involved in a D & N case involving alleged abandonment of their son. She describes herself as having been a “functional addict who didn't know how bad it had gotten.”

When asked to talk about what worked well in her case, she was quick to attribute her success to the judge. *“The judge understood that we are human and it takes time to straighten things out when they are messed up. When I got out of jail I lost everything I had. I didn't have money or a car and I lived in a shelter. I was taking life skills classes at the shelter, but they didn't count according to the court and they made me go other places to take classes. I had to get there by riding the bus. When you have lost everything and you are trying to get your life back together, it's hard to meet those expectations.”*

“It's little things like they give me bus tokens to get home, but not to get to treatment. And how can you get a job when you have to be at all those appointments and court dates? Isn't there a way to schedule those things together so that it's not so hard to succeed? DHS didn't share much information with me and I have been figuring it out on my own. The judges should ask caseworkers if they are sharing information about housing and resources with parents to make sure that they are.”

“They don't explain things to you in court. You talk to your lawyer for a couple of minutes before you go in, and that's all the time they have for you. I could never get questions answered that fast. The first time we were in court I kept hearing them use the word ‘adoption’ and I left the court crying because I thought they were going to adopt my son out. I didn't figure out until later that it is a court term that means something else. It's little things like that that would be helpful to know more about. I know they are busy, but even a little more time explaining things would help.”

“I had a good judge. He let my son go up and shake his hand and he let my son talk to him. I thought that was just awesome. He let my son know we are doing everything possible to get him back home, and my son relied on that. And now we are back home together and I'm almost finished with my GED. My son is doing great.”

Discussion of Findings

Several common themes emerged from the survey data and individual interviews. The primary themes included substance abuse, poverty or low income, and inconsistencies regarding

treatment, expectations and level of real or perceived involvement in the court case and outcomes.

Substance abuse surfaced as a factor in every interview, whether directly or indirectly related to the parent involved in the D & N case. State child welfare records indicate that substance abuse is one of the top two problems exhibited by families in 81% of the reported cases^{xi}. The prevalence of substance abuse in child protection cases is extremely high, and is a critical factor in determining safety for the child or children involved. Some judicial districts have specialty courts such as drug court or family drug court, and these programs offer a different and specialized approach to treatment. In judicial districts without specialty courts, substance abuse issues are handled differently, depending on differing philosophies, levels of training and judicial education, and community resources.

Another primary theme involved challenges around case plan compliance and meeting expectations of the court. Parents identified challenges to achieving expectations such as difficulty attending meetings and court dates at varying hours and dates while trying to find or maintain employment. Transportation was another challenge in meeting expectations, due to expenses of and access to public transportation. The parents who reported a successful court experience and outcome also generally attributed their success to their judge, who treated them as an individual and considered their personal circumstances. Parents also really appreciated judges who talked to their children and seemed to take interest in them on an individual basis.

Other themes included attorneys not taking time to return client calls and not explaining the court process and expectations to them. While three quarters of the parents involved in the study reported having an attorney, only half of them felt their attorney made an effort to understand their situation or worked for the best interest of their family. The interviews supported the survey findings by further revealing themes of difficulty contacting attorneys and attorneys not taking time to communicate with clients and/or not representing the clients appropriately.

There were regional themes in the parents' opinions of their court experience. Given the relatively small number of respondents, this input may not be representative of the greater parent population but is included because regional themes did emerge. Larimer County parents had more consistently negative perspective about their court experience, and felt that they as parents had no substantive input into their case or its outcomes. Jefferson County parents had a very different perspective, and spoke much more positively about their court experience with consistent attribution to the Parent Partners program. Other positive reflections from Adams and El Paso counties referred to judges who handled the clients as individuals and worked to get them into community-based treatment programs. Parents from more rural areas identified judges and caseworkers as being most helpful in their case.

Demographic characteristics of the parents interviewed also reveal important and relevant data for the consideration of judges and court stakeholders. Nearly a quarter of the parents had been children of parents in D & N cases, which supports the notion of the cyclical nature of child abuse and neglect. Poverty is a primary factor for parents in D&N cases, as evidenced by more than 70% of the participants in the study reporting earning \$25,000 or less per year, and 44% of

respondents earning \$10,000 or less per year. Poverty is well-documented to be the single greatest risk factor to child well-being. While child maltreatment is strongly correlated with poverty,^{xii} it is also important for the Colorado child protection community to be aware that Colorado currently boasts the fastest growing rate of child poverty in the United States^{xiii}. The implications of Colorado's increasing number of families entering or living in poverty poses increased potential risk for child abuse and neglect.

All of these themes are important considerations as judges, attorneys, caseworkers and other stakeholders consider systemic improvements on behalf of children and families involved with Colorado courts. It is important to note that more than 70% of parents reported that they felt they did not have the opportunity to share input they thought was important and relevant to the court process, and further research and exploration into obtaining client feedback and input is needed.

Additional research and information is needed to learn more about the experience of Spanish speaking clients in court, as Hispanic/Latino parents comprised 18% of the survey respondents. By the same token, more research is needed about cultural differences as they relate to these issues and promoting safety for children and families. Issues regarding cases involving Native American children were mentioned in two surveys, specifically stating that clients were not treated in accordance with Indian Child Welfare Act (ICWA) specifications. Further inquiry into the varying responses, training levels and practices of judges in D&N cases would also be helpful in determining what kinds of judicial education and/or policy changes would be most beneficial in improving court services and client outcomes. Finally, additional research into and evaluation of client outcomes in districts with specialty courts and programs like Parent Partners in comparison to communities without specialty courts and community resources would lend insight into ways to potentially mentor or share best practices more broadly to impact systemic improvements.

Conclusion

As judges and court stakeholders see an increasing number of D&N cases, it is important to consider the complexities and risk factors of each case individually in order to promote the best outcomes for children and families. It is also critical for court stakeholders to consider the barriers to permanency and stability that are inherent within the current system, such as requiring employment for parents while also requiring sporadic court dates and other expectations that endanger or prohibit successful and consistent employment and thus hinder the client's ability to comply with court expectations. Issues around inadequate attorney representation of parents deserve further review and consideration.

Understanding the challenges and circumstances of the clients is a critical factor in their potential recovery and/or successful reunification. The parents involved in this study repeatedly reported that they are more than just a case file, and were able to quickly identify the services that were most and least helpful to them. By learning more about the court experience of parents, court stakeholders have a greater perspective on ways to create and improve Colorado's child protection system in the best interest of children and families.

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- ^{vi} Answers to Your Questions About Dependency and Neglect. Excellence in Customer Service, Colorado Judicial Branch, March 2001. www.courts.state.co.us
- ^{vii} Ibid.
- ^{viii} Ibid.
- ^{ix} Robinson, S., *Delivering on the Promise: Promoting Court Capacity to Improve Outcomes for Abused and Neglected Children*. (2007). National Conference of State Legislatures. Denver, CO.
- ^x Respondent Parents Counsel Task Force Statewide Needs Assessment: Final Report. (March 2007). Colorado State Court Administrator's Office, National Center for State Courts, National Council of Juvenile and Family Court Judges, and National Association of Counsel for Children.
- ^{xi} Lung, C. T. and D. Daro. (1996). Current trends in child abuse reporting and fatalities: The results of the 1995 annual fifty state survey. Chicago, Illinois: National Committee to Prevent Child Abuse.
- ^{xii} 2011 Kids Count Colorado. Colorado Children's Campaign. www.coloradokids.org
- ^{xiii} Ibid.

APPENDEIX A

Survey (English & Spanish)

Survey

Presented by Colorado Judicial Institute
Parent Voices in Court

Please do not write your name on this survey.
Please circle only one number in response to each of the following statements.

Questions	4 (Strongly Agree)	3(Agree)	2(Disagree)	1(Strongly Disagree)
1. I feel my voice or opinion was considered in court.	4	3	2	1
2. I had an attorney.	4	3	2	1
3. I understood the role of my attorney.	4	3	2	1
4. My attorney made an effort to understand my situation.	4	3	2	1
5. My attorney effectively represented me in court.	4	3	2	1
6. I found my attorney to be helpful.	4	3	2	1
7. I understood what was happening in court.	4	3	2	1
8. I understood what was expected of me throughout the court process.	4	3	2	1
9. My child(ren) were present in court.	4	3	2	1
10. I had the opportunity to share input that I thought was important or relevant during the court process.	4	3	2	1
11. I or my family received services related to this child welfare case.	4	3	2	1
12. I found the child welfare services we received to be useful.	4	3	2	1
13. I was involved in creating my case plan.	4	3	2	1
14. I found my case plan to be effective.	4	3	2	1
15. I understood my case plan.	4	3	2	1
16. The judge considered my input.	4	3	2	1
17. The judge considered my attorney's input.	4	3	2	1

Participant Number: _____

	4 (Strongly Agree)	3(Agree)	2(Disagree)	1(Strongly Disagree)
18. There were things I wanted to say in or about the court process, but I was not given the chance to share my input.	4	3	2	1
19. My situation was accurately represented in court.	4	3	2	1
20. My attorney was working for the best interest of my family.	4	3	2	1
21. The judge was working for the best interest of my family.	4	3	2	1
22. The court process was explained to me.	4	3	2	1
23. I was treated with respect during the court process.	4	3	2	1
24. The decisions made in court were in the best interest of my child(ren).	4	3	2	1
25. Other advocates represented me in court.	4	3	2	1
26. Other advocates represented my child(ren) in court.	4	3	2	1
27. I understood the language used in court.	4	3	2	1
28. I knew how to get answers to my questions about the court process.	4	3	2	1
29. My questions about the court process were answered.	4	3	2	1

30. What is your relationship to the child(ren)?

- A. Biological Parent
- B. Relative
- C. Foster Parent
- D. Adoptive Parent
- E. Other _____

31. How long has it been since you were involved in the court system for the dependency case(es) (in years)?

- A. 0-1 year ago
- B. 1-2 years ago
- C. 2-3 years ago
- D. 3 or more years ago

Participant Number: _____

32. Were your parents involved in the court system with regard to care of you during your childhood or youth years? (circle one) Yes No
33. How was your case concluded?
- A. Reunified with child
 - B. Child in placement with plan to reunify
 - C. Child permanently placed out of your home
 - D. Case plan for the child(ren) to be adopted
 - E. Other
34. Your gender: (Select one) male female
35. Marital status:
- A. Married
 - B. Divorced
 - C. Separated
 - D. Single
 - E. Widowed
36. Your ethnicity (Select one or more):
- A. American Indian
 - B. Asian
 - C. Black or African American
 - D. Hispanic/Latino
 - E. Native Hawaiian or Pacific Islander
 - F. White
 - G. Unknown
37. Your age at the time of the dependency case:
- A. 15-18
 - B. 18-22
 - C. 22-26
 - D. 26-30
 - E. 30-34
 - F. 34 or older
38. Your yearly income (approximate):
- A. \$0-\$10,000
 - B. \$10,000-\$15,000
 - C. \$15,000-\$20,000
 - D. \$20,000-\$25,000
 - E. \$25,000-\$30,000
 - F. \$30,000-\$35,000
 - G. \$35,000-\$40,000
 - H. \$40,000-\$50,000
 - I. \$50,000 or more

Participant Number: _____

39. How many children do you have? _____
How many children have you had court involvement regarding dependency? _____

40. **Would you be willing to participate in a private confidential interview to share more of your thoughts and input regarding your experience in court regarding dependency?** Interviews last approximately 30 minutes, and are confidential. You will receive a \$10 gift card if you are selected for and complete the interview.

_____ YES, I am willing to participate in an interview. (If yes, please complete the attached form and submit to the researcher.)

_____ NO, I am not interested in participating in another interview.

41. If you would like to share any additional comments, please do so in the space provided below. (You may also use the back of this page if necessary.)

*Thank you for taking time to complete this survey.
Your input is appreciated!*

Participant Number: _____

Interview

I am willing to participate in a private interview to share more thoughts and input regarding your experience in court regarding dependency.

Interviews last approximately 30 minutes, and are confidential. You will receive a \$10 gift card if you are selected for and complete the interview.

_____ YES, I am willing to participate in an interview.

First Name Only: _____

Phone: _____

If you are willing to participate in a private interview to share more, **please separate this page from the survey and submit it separately. You will be called to schedule an interview time if you are randomly selected. Thanks!

Participant Number: _____

Encuesta

Presentada por el Instituto Judicial de Colorado
Voces de Padres en el Tribunal

Por favor **no** escriba su nombre en esta encuesta.
Por favor circule sólo un número en respuesta a cada una de las declaraciones siguientes.

Preguntas	4 (Conuerdo totalmente)	3(Estoy de acuerdo)	2(No estoy de acuerdo)	1(Me opongo totalmente)
1. Siento que mi voz y opinión fueron consideradas en el tribunal.	4	3	2	1
2. Tuve un abogado.	4	3	2	1
3. Comprendí el papel de mi abogado.	4	3	2	1
4. Mi abogado hizo un esfuerzo de comprender mi situación.	4	3	2	1
5. Mi abogado efectivamente me representó en tribunal.	4	3	2	1
6. Encontré que mi abogado fue útil.	4	3	2	1
7. Comprendí lo que sucedía en el tribunal.	4	3	2	1
8. Comprendí lo que fue esperado de mí a través del proceso del tribunal.	4	3	2	1
9. Mi niño(s) fueron presentes en el tribunal.	4	3	2	1
10. Tuve la oportunidad de compartir lo que pensé fue importante o pertinente durante el proceso del tribunal.	4	3	2	1
11. Yo o mi familia recibimos servicios relacionados a este caso de asistencia social para niños.	4	3	2	1
12. Encontré que los servicios de asistencia social para niños fueron útiles.	4	3	2	1
13. Participé en crear mi plan del caso.	4	3	2	1
14. Encontré que mi plan del caso fué efectivo.	4	3	2	1
15. Comprendí mi plan del caso.	4	3	2	1

Número del Participante: _____

	4 (Conuerdo totalmente)	3(Estoy de acuerdo)	2(No estoy de acuerdo)	1(Me opongo totalmente)
16. El juez consideró lo que compartí.	4	3	2	1
17. El juez consideró lo que compartió mi abogado.	4	3	2	1
18. Había cosas que quise decir acerca del proceso del tribunal, pero no fui dado la oportunidad de compartirlo.	4	3	2	1
19. Mi situación fue representada con exactitud en el tribunal.	4	3	2	1
20. Mi abogado trabajaba para el mejor interés de mi familia.	4	3	2	1
21. El juez trabajaba para el mejor interés de mi familia.	4	3	2	1
22. El proceso del tribunal fue explicado a mí.	4	3	2	1
23. Fui tratado con respeto durante el proceso del tribunal.	4	3	2	1
24. Las decisiones hechas en el tribunal estuvieron en el mejor interés de mi niño(s).	4	3	2	1
25. Otros partidarios me representaron en tribunal.	4	3	2	1
26. Otros partidarios representaron a mi niño(s) en tribunal.	4	3	2	1
27. Comprendí el idioma utilizado en el tribunal.	4	3	2	1
28. Supe cómo conseguir respuestas a mis preguntas acerca del proceso del tribunal.	4	3	2	1
29. Mis preguntas acerca del proceso del tribunal fueron contestadas.	4	3	2	1

30. ¿Qué es su relación al niño(s)
- A. Padre biológico
 - B. Pariente
 - C. Padre de crianza
 - D. Padre adoptivo
 - E. Otro _____

Número del Participante: _____

31. ¿Cuánto tiempo ha sido desde que usted participó en el sistema del tribunal para el caso de dependencia (en años)?
- A. Hace 0-1 año
 - B. Hace 1- 2 año(s)
 - C. Hace 2-3 años
 - D. Hace 3 o más años
32. ¿Fueron envueltos sus padres en el sistema del tribunal con respecto de su cuidado durante sus años de niñez o juventud? (circule uno) Sí No
33. ¿Cómo fue concluido su caso?
- A. Reunificación con niño
 - B. El niño en la colocación con plan para reunificar
 - C. El niño permanentemente colocado fuera de su casa
 - D. Plan para la adopción del niño(s)
 - E. Otro
34. Su género: (Seleccione uno) hombre mujer
35. Su estado civil:
- A. Casado
 - B. Divorciado
 - C. Separado
 - D. Soltero
 - E. Enviudado
36. Su etnia (Selecciona uno o más) :
- A. Indio norteamericano
 - B. Asiático
 - C. Norteamericano negro o africano
 - D. Hispano/latino
 - E. El Isleño nativo, hawaiano o pacífico
 - F. Blanco
 - G. Desconocido
37. Su edad durante el caso de dependencia:
- A. 15-18
 - B. 18-22
 - C. 22-26
 - D. 26-30
 - E. 30-34
 - F. 34 o mayor

Número del Participante: _____

38. Sus ingresos anuales (aproximadamente) :

- A. \$0-\$10,000
- B. \$10,000-\$15,000
- C. \$15,000-\$20,000
- D. \$20,000-\$25,000
- E. \$25,000-\$30,000
- F. \$30,000-\$35,000
- G. \$35,000-\$40,000
- H. \$40,000-\$50,000
- I. \$50,000 o más

39. ¿Cuántos niños tiene usted? _____

¿Cuántos niños tiene quien tuvieron participación de tribunal con respecto a dependencia? _____

¿Estaría usted dispuesto a tomar parte en una entrevista confidencial y privada para compartir más de sus pensamientos acerca de su experiencia en el tribunal con respecto a dependencia? Las entrevistas duran aproximadamente 30 minutos, y son confidenciales. Usted recibirá una tarjeta con valor a \$10 de regalo si usted es seleccionado para y completar la entrevista.

_____SI, yo estoy dispuesto a tomar parte en una entrevista. (Si sí, por favor complete la forma conectada y sométala al investigador).

_____NO, no estoy interesado en tomar parte en otra entrevista.

40. Si usted quiere compartir algún comentario adicional, hágalo en el espacio proporcionado abajo. así por favor en el espacio proporcionado abajo. (También puede utilizar el reverso de esta página si necesario).

***Gracias por tomar tiempo para completar esta encuesta .
¡Sus respuestas son apreciadas!***

Número del Participante: _____

Entrevista

Estoy dispuesto a tomar parte en una entrevista privada para compartir más pensamientos acerca de mi experiencia en el tribunal con respecto a dependencia.

Las entrevistas duran aproximadamente 30 minutos, y son confidenciales. Usted recibirá una tarjeta con valor a \$10 de regalo si usted es seleccionado para y completar la entrevista.

_____SI, yo estoy dispuesto a tomar parte en una entrevista

Su Nombre sin Apellido: _____

Teléfono: _____

** Si usted está dispuesto a tomar parte en una entrevista privada para compartir más, **por favor separe esta página de la encuesta y sometala separadamente.** Le llamaremos a planificar un tiempo de entrevista si usted es seleccionado. ¡Gracias!

Número del Participante: _____

APPENDEIX A

Informed Consent Form (English & Spanish)

Participant Number: _____

INFORMED CONSENT FORM FOR SURVEY

You are invited to participate in a study that will explore perspectives of parents who have experienced court cases involving dependency. The study is called ***Parent Voices: The Other Side of the Bench. Perspectives of Parents Involved in Court Cases Concerning Dependency***. The study is sponsored by Colorado Judicial Institute and is made possible by funding from Mile High United Way. The research is being conducted by Becky Miller Updike, Ph.D. Candidate, who can be reached at (720) 560-3810 or beckyupdike@hotmail.com. Additional information available at Colorado Judicial Institute (CJI), P.O. Box 118, Broomfield, CO 80038 or CJI's main line: (303) 766-7501 or www.coloradojudicialinstitute.org.

The information gathered from this survey could serve to inform judges, court staff, and other Colorado agencies and court facilities as they seek to improve systems to better serve children and families.

Participation in this study should take about 15-25 minutes of your time. Participation will involve responding to questions about your experience in court involving dependency. Participation in this project is strictly voluntary. The risks associated with this project are minimal. If, however, you experience discomfort you may discontinue the interview at any time. We respect your right to choose not to answer any questions that may make you feel uncomfortable. Refusal to participate or withdrawal from participation will involve no penalty or loss of benefits to which you are otherwise entitled.

Your responses will be identified by code number only and will be kept separate from information that could identify you. This is done to protect the confidentiality of your responses. Only the researcher will have access to your individual data and any reports generated as a result of this study will use only group averages and paraphrased wording. However, should any information contained in this study be the subject of a court order or lawful subpoena, the Colorado Judicial Institute might not be able to avoid compliance with the order or subpoena. Although no questions in this interview address it, we are required by law to tell you that if information is revealed concerning suicide, homicide, or child abuse and neglect, it is required by law that this be reported to the proper authorities.

If you have any concerns or complaints about how you were treated during the interview, please contact Internal Review Board of the Partnership for Families and Children, Attention Carolyn Homer, Human Protections Administrator, (303) 837-8466 x127.

You may keep this page for your records. Please sign the next page if you understand and agree to the above. If you do not understand any part of the above statement, please ask the researcher any questions you have.

I have read and understood the foregoing descriptions of the study called ***Parent Voices: The Other Side of the Bench. Perspectives of Parents Involved in Court Cases Concerning Dependency***. I have asked for and received a satisfactory explanation of any language that I did not fully understand. I agree to participate in this study, and I understand that I may withdraw my consent at any time. I have received a copy of this consent form.

Name (Printed) _____ Signature _____ Date _____

_____ I would like a summary of the results of this study to be mailed to me at the following postal or e-mail address: _____

Número del Participante: _____

FORMA DE CONSENTIMIENTO PARA LA ENCUESTA

Usted está invitado a tomar parte en un estudio que explorará perspectivas de padres que han experimentado casos del tribunal que implican dependencia. El estudio está titulado “***Parent Voices: The Other Side of the Bench. Perspectives of Parents Involved in Court Cases Concerning Dependency.***” El estudio es patrocinado por el Instituto Judicial de Colorado y es financiado por Mile High United Way. La investigación es realizada por Becky Updike, candidata para doctorado, quien está disponible al teléfono (720) 560-3810 ó al correo electrónico beckyupdike@hotmail.com. Para más información, contacte: Colorado Judicial Institute (CJI), P.O. Box 118, Broomfield, CO 80038 ó llame al (303) 766-7501 ó visite www.coloradojudicialinstitute.org

La información obtenida por medio de esta encuesta podría servir para informar jueces, el personal del tribunal, y otras agencias de Colorado y facilidades del tribunal mientras ellos procuran mejorar sistemas para servir mejor a niños y familias.

La participación en este estudio debe tomar aproximadamente 15-25 minutos de su tiempo. La participación implicará responder a preguntas acerca de su experiencia en el tribunal que implica dependencia. La participación en este proyecto es estrictamente voluntaria. Los riesgos asociados con este proyecto son mínimos. Sin embargo, si usted experimenta molestia, puede discontinuar la entrevista en cualquier tiempo. Respetamos su derecho para no contestar ninguna pregunta que puede hacerle sentir incómodo. La decisión de no participar o retirar su participación no implicará pena o pérdida de beneficios a que usted de otro modo es permitido.

Sus respuestas serán identificadas sólo por número de código y serán mantenidas separadas de información que podría identificarlo a usted. Esto es hecho para proteger la confidencialidad de sus respuestas. Sólo el investigador tendrá acceso a sus datos individuales y cualquier reporte generado a consecuencia de este estudio utilizará sólo promedios de grupo y palabras parafraseadas. Sin embargo, si la información contenida en este estudio es el sujeto de un mandato judicial o citación lícita, el Instituto Judicial de Colorado no podrá evitar conformidad con la orden o la citación. Aunque ninguna pregunta en esta encuesta hable acerca de ello, nosotros somos requeridos por la ley a decirle que si información es revelada con respecto a suicidio, con respecto al homicidio, o con respecto a el maltrato o descuido de niños, es requerido por la ley que esto sea reportado a las autoridades.

Si usted tiene cualquier preocupación o queja acerca de cómo fue tratado durante la entrevista, por favor contacte *Internal Review Board of the Partnership for Families and Children*, a Carolyn Homer al teléfono (303) 837-8466, extensión 127.

Usted puede mantener esta página para sus registros. Por favor firme la página si usted comprende y acepta lo mencionado en esta página. Si usted no comprende alguna parte de esta declaración, por favor preguntele al investigador.

He leído y comprendo las descripciones del estudio llamadas ***Parent Voices: The Other Side of the Bench. Perspectives of Parents Involved in Court Cases Concerning Dependency.*** He pedido y recibido una explicación satisfactoria acerca de algo que no comprendí completamente. Conuerdo en tomar parte en este estudio, y comprendo que puedo retirar mi consentimiento en cualquier tiempo. He recibido una copia de esta forma de consentimiento.

Nombre (Escrito) _____ Firma _____ Fecha _____
_____ Quisiera obtener un resumen de los resultados de este estudio. Puede sea enviado al siguiente domicilio o correo electrónico: _____

APPENDIX B
Interview Questions

Interview Questions

Presented by Colorado Judicial Institute
Parent Voices in Court

Introduction: Thank you for your willingness to share a little bit more about your perspective of the court process around the dependency case. If may choose to not answer any of the following questions. As listed on the consent form, your identity will remain confidential.

We are trying to learn more about the perspective of parents involved in dependency cases. The results of this study will be shared with judges and court staff and will be helpful in informing the courts about ways to better serve children and families in Colorado.

We will spend the next few minutes discussing your experience in court. The interview will probably take about 25-45 minutes. The rest of the information about this interview was explained on the consent form. If you consent to participate in this interview, please submit the signed consent form at this time. You will receive a \$10 once the interview is complete.

(If participant consents, begin recording here.)

1. What worked well regarding your court case?
2. What did not work well regarding your court case?
3. How you were represented, and how effective the representation was?
4. Do you feel your input was considered in the court process? Please explain.
5. What or who was helpful to you during the court process? (Can be court staff, attorney, and or others.)
6. Were there services or supports from child welfare or the courts that were helpful or useful to you at that time? If so please describe.
7. Were there services or assistance that would have been helpful to you at that time that you did not have? If so please describe.
8. What could have made your court experience better?
9. If you could change anything about your court experience, what would it be?
10. What advice would you give to a parent currently involved in a dependency case?
11. Based on your experience, is there anything you'd like for attorneys to know about representing parents in dependency cases? Please explain.
12. Based on your experience, is there anything you would like for judges to know about the perspective of parents involved dependency cases?
13. Is there anything else you would like to share about your experience in court?

Thank you for your time!

Participant Number: _____

APPENDIX B

Informed Consent Form for Interview

Participant Number: _____

INFORMED CONSENT FORM FOR INTERVIEW

You are invited to participate in a study that will explore perspectives of parents who have experienced court cases involving dependency. The study is called ***Parent Voices: The Other Side of the Bench. Perspectives of Parents Involved in Court Cases Concerning Dependency***. The study is sponsored by Colorado Judicial Institute and is made possible by funding from Mile High United Way. The research is being conducted by Becky Miller Updike, Ph.D. Candidate, who can be reached at (720) 560-3810 or beckyupdike@hotmail.com. Additional information available at Colorado Judicial Institute (CJI), P.O. Box 118, Broomfield, CO 80038 or CJI's main line: (303) 766-7501 or www.coloradojudicialinstitute.org.

The information gathered from this interview could serve to inform judges, court staff, and other Colorado agencies and court facilities as they seek to improve systems to better serve children and families.

Participation in this study should take about 30-45 minutes of your time. Participation will involve responding to questions about your experience in court involving dependency. Participation in this project is strictly voluntary. The risks associated with this project are minimal. If, however, you experience discomfort you may discontinue the interview at any time. We respect your right to choose not to answer any questions that may make you feel uncomfortable. Refusal to participate or withdrawal from participation will involve no penalty or loss of benefits to which you are otherwise entitled.

Your responses will be identified by code number only and will be kept separate from information that could identify you. This is done to protect the confidentiality of your responses. Only the researcher will have access to your individual data and any reports generated as a result of this study will use only group averages and paraphrased wording. However, should any information contained in this study be the subject of a court order or lawful subpoena, the Colorado Judicial Institute might not be able to avoid compliance with the order or subpoena. Although no questions in this interview address it, we are required by law to tell you that if information is revealed concerning suicide, homicide, or child abuse and neglect, it is required by law that this be reported to the proper authorities.

If you have any concerns or complaints about how you were treated during the interview, please contact Internal Review Board of the Partnership for Families and Children, Attention Carolyn Homer, Human Protections Administrator, (303) 837-8466 x127.

You may keep this page for your records. Please sign the next page if you understand and agree to the above. If you do not understand any part of the above statement, please ask the researcher any questions you have.

I have read and understood the foregoing descriptions of the study called ***Parent Voices: The Other Side of the Bench. Perspectives of Parents Involved in Court Cases Concerning Dependency***. I have asked for and received a satisfactory explanation of any language that I did not fully understand. I agree to participate in this study, and I understand that I may withdraw my consent at any time. I have received a copy of this consent form.

Name (Printed) _____ Signature _____ Date _____

_____ I would like a summary of the results of this study to be mailed to me at the following postal or e-mail address: _____