

To download a complete copy of Court Participation, download the Resource Parent Manual www.psrfa.org

Resource parents are often in the best position to give an account of the child's well being. They see the child every day and have an understanding of the child's development, needs, routines, likes, dislikes, etc. That level of knowledge cannot be achieved by courts or agencies having limited visitation.

Notice and Right to be Heard

Congress wanted courts to ensure that the foster parents, relative caretakers, and pre-adoptive parents actually receive notice and have the RIGHT to be heard in court. In order to insure resource family participation, Congress passed a new law, Social Security Act section 438(b)(1), 475(5) (G), 42 U.S.C. -§629g(b)(1), 675(5)(G).

State agencies must also ensure that foster parents of a child and any preadoptive parent or relative providing care for the child, is provided with notice of, and have a right to be heard, in any proceeding to be held with respect to the child.

Pennsylvania also passed Act 76 to reinforce the new Federal Statute giving foster parents the RIGHT to participate. Pennsylvania also passed house bill 1511 and the Governor signed it in to law as act 109 of 2008. Act 109 of 2008 allows resource families to provide written documentation to be presented in court.

What if resource parents do not receive notice

Contact the social worker (or social worker's supervisor) or ask the child's attorney when the hearing is. If you continue to not receive notices, send a request to the judge or the county attorney asking that you get notice. When you do appear in court, tell the judge you would like to receive notice of the hearings.

Resource Parents Status

Parties are the official people involved in each case. Children and Youth is one party, the child is another party, and the parents are a third party. Most parties to a case are represented by a lawyer. They have access to court documents, may file motions to request court orders, and call and cross-examine witnesses. Adoption and Safe Families Act does not require juvenile courts to make resource parents parties to a case.

Resource parents can provide information to the court either verbally or in writing. Resource parents must be prepared to clearly state their comments to the court, usually in less than two or three minutes. Writing down two or three main points on an index card may help remind the resource parents of the most important information to tell the judge.

If you are submitting something in writing:

- Make sure that your writing is focused on the child.
- Find out what the court will be deciding at the hearing and only provide information that will assist the court in making those decisions. Provide facts, not opinions.
- Avoid negative comments about the birth parents and others involved in the case.
- Attach supporting documents (school and doctor reports, letters sent by parents, etc.) if appropriate.



- If possible, submit written document before the hearing.
- Bring five additional copies with you to court (for mother, father, guardian ad litem, social worker, and the court).

Confirmation and Check-In

Foster parents should contact the child's case manager to confirm the date and time of the court hearing

Tips for Testifying/ Presenting to the Court

- Resource parents should arrive 15—20 minutes before the scheduled hearing, so that the judge can start on time. It is important to be prompt.
- If resource parents don't understand an attorney or judge's question, do not answer the question until you understand it. Ask the judge.
- Do not guess at an answer and never lie.



- Be prepared to make a concise statement.
- Use language you are comfortable using.
- If an attorney makes an objection while you are testifying, stop talking and wait for the judge/master to tell you to continue.
- Resource parents must show the judge respect and always address him or her as “Judge” or “Your Honor,” use good eye contact, and be polite and attentive. Dress professionally.

Suggested Topics For The Court Resource parents:

- Medical Information — Doctor visits or hospitalizations since the last court hearing, and the result of those visits. Any medications the child is taking and the dosages. A brief description of the child's physical development, and any developmental lags the foster parents have observed.
- Educational Information — The child's grade in school and whether the child is performing at grade level. The dates of any school conferences foster parents have attended and the results of those conferences.
- Behavioral Information — A brief description of the child's behavior while in the resource parents' home. Any services the child is receiving to address behavioral problems, who is providing the services, and how often the child goes for the services.

For more information contact

Together as Adoptive Parents, Inc.
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Guide for Resource Families

Guide for Resource Families Court Participation Court Participation In Pennsylvania



Where To Go

**Philadelphia Family
Court,
1501 Arch St.
Philadelphia 19102**