



YOUTH TOOLKIT FOR DEPENDENCY AND NEGLECT CASES

YOUR GUIDE TO YOUR RIGHTS & THE PROCESS



Welcome!!

There may be a lot going on in your life right now. You may feel confused and even scared. Please know that you are not alone. Lots of young people with Dependency and Neglect cases feel the same way.

We hope this Toolkit will help you during your case. It will walk you through your rights, your court dates, and some of the people you might meet. It will also give you some helpful tools along the way!

If you have questions, please talk with your GAL (the attorney who stands up for what is best for you) or your CFY (the attorney who stands up for what you want).

Your GAL's or CFY's name is _____

You GAL's or CFY's number is _____

Can you text them?

Yes

No

WHAT'S IN THIS TOOLKIT?

1

What is a D&N Case?

2

What rights do you have in a D&N case?

3

Who are the people in your D&N case?

4

What does your attorney do for you?

5

Where are some places you might go during your case?

6

When are some important dates in your case?

7

Where can you share how you feel about your attorney?

8

Where can you write your notes and questions?

1. WHAT IS A DEPENDENCY AND NEGLECT CASE?

Dependency and Neglect cases are often called D&N cases.



A D&N case is a court case that starts because someone says that a family's home may not be safe for a young person. D&N cases try to help young people and families.



Sometimes, young people with D&N cases have to live somewhere away from their home because it is not safe. Other times, young people with D&N cases **can** live in their homes, with rules in place to make their home safe.



Every D&N case aims to **keep young people safe**. Sometimes young people go back home. If they cannot go back home, then the goal is to find a forever family for the them.

2. WHAT RIGHTS DO YOU HAVE IN A D&N CASE?

RIGHT TO AN ATTORNEY

IF YOU ARE 0-11 YEARS OLD

You have the right to an attorney called a guardian *ad litem* (GAL).

A GAL argues for what they decide is best for you, and tell others what you want.

A GAL will not tell others what you want if you ask them not to.

IF YOU ARE 12+ YEARS OLD

You have the right to an attorney called Counsel for Youth (CFY).

A CFY will talk to you about what you want, and argue for that.

A CFY can usually keep things you say secret.



GALs and CFYS learn about you and your family. They'll talk with you, your family members, and people who are important to you.

They also have the right to review documents - records from your school, doctors, the courts, and more.

FOR EVERY HEARING...

When something happens in court, it is called a **hearing**. You have the **right to know** the date, time, location, and reason for every hearing in your case.

You have the **right to go to your court hearings and fully participate**.

You have the **right to have your GAL or CFY at every hearing**.

You have the **right to have someone you pick at every court hearing**.

IN SOME HEARINGS...

- During an **Adjudication Hearing**, the court decides if it should have the power to make decisions about your family. GALs and young people aged 12 and older have the **right to request a jury trial**. If plans to move forward without a trial are discussed, you have the **right to share your thoughts about those plans**.
- During a **Dispositional Hearing**, the court decides what services your family needs. Those services are listed in a treatment plan - you have the **right to help make this plan**.
- During a **Permanency Hearing**, the court decides a plan for your future home. You have the **right to make the plan for your future home**.

You also have the **right to participate in many meetings held by your county department**.

**QUESTIONS OR COMMENTS?
TALK WITH YOUR GAL OR CFY!**

I'M IN FOSTER CARE... WHAT ABOUT MY SIBLINGS?

Siblings living in foster care in Colorado have these rights unless they are not in the best interests of a sibling.



Siblings have the **right to be involved in each other's lives** and share celebrations if they choose (birthdays, graduations, holidays, school, cultural customs, etc.)



Siblings who can't be placed together have the **right to repeated and meaningful contact**. You also have the **right to more private or less limited contact**.



If for some reason, contact is limited or not happening between siblings, you have the **right to know why** (as allowed by CO and US law).



Siblings have the **right to receive updated pictures of each other**. You also have the **right to receive contact information** for each other once a year, unless a foster parent doesn't that information shared.



Adult siblings have the **right to be looked at as possible foster parents, adoptive parents, or caretakers**.



Siblings have the **right to have contact encouraged** when they are placed for adoption or guardianship.



- Siblings have the **right to be placed in a foster home together**, when it is in the best interest of each sibling, and when a county department finds an appropriate, capable, willing, and available placement.
- Siblings have the **right to be placed in foster homes that are close together**.
- Siblings have the **right to be placed in short-term placements together**, when possible.
- Siblings have the **right to be placed with foster parents and possible adoptive parents** who are trained about the importance of sibling relationships.

- Siblings have the **right to a caseworker who is trained about the importance of sibling relationships**.
- Siblings have the **right to expect that their GAL or CFY will argue for repeat contact and visits**, unless it is not in their best interests.
- Siblings have the **right to be told ASAP about important events in each other's lives**, as permitted by CO and US laws.
- Siblings have the **right to be included in discussions and meetings about each other's plans for their future home**, if appropriate.
- Each sibling has the **right to receive a document** from the department **that explains sibling rights** in a way each sibling can understand.



SAFEGUARDS FOR CHILDREN & YOUTH LIVING IN FOSTER CARE

Young people who live in foster care should have the safeguards listed below. These safeguards may be limited to reasonable times of the day or limited to fit the routines of a foster home to protect young people and foster families.

These safeguards do not apply to young people who are in Division of Youth Services facilities or a state hospital due to mental illness.



CONTACT

- You have the **freedom to contact the people who are working to help you**, including your caseworker, attorney, court appointed special advocate (CASA), and probation officer.
- As appropriate, you are allowed to make and receive private phone calls, as well as send and receive unopened mail. These things must fit your permanency goals.
- As appropriate, you have the freedom to have contact with people outside of foster care in ways that fit your permanency goals. Examples include teachers, mentors, and friends.
- You have the **freedom to contact the child protection ombudsman, your local department, or the state department** with questions, concerns or violations of the safeguards here. Speak with people from those offices privately.



FAMILY

- You are able to **live with your family** unless it would cause danger to you or the public. As soon as possible, **a court will decide** the best place for you to live.
- You will be able to **live or visit** with your siblings.



INDEPENDENCE

- You have permission to maintain a **bank account** for when you leave the system and to manage your income, if doing so fits your age and level. This may not be allowed by your case plan.
- As appropriate, you have the freedom to **work and develop job skills** that fit your permanency goals.
- You have the freedom to attend **independent living classes**, if you meet certain requirements (like age).
- If you are 16+, you may have access to **information about available education choices**, including the classes necessary for job or education programs after high school. You'll also have information about programs to help you pay for your education after high school.



YOUR CARE

- You are entitled to receive appropriate and reasonable **adult guidance, support, and supervision in a safe, healthy, and comfortable place**. You are entitled to be treated with **respect and dignity**.
- You have freedom from **physical punishment and abuse**.
- You can receive needed **medical, dental, vision, and mental health care**.
- You can receive enough **healthy food, clothing, and allowance** (as appropriate)
- You have freedom from having to take **medicine or other chemicals**, except as approved by a doctor.
- You have freedom from **threats or punishment** for making complaints.
- You have the freedom to **attend religious services and activities**.
- You have freedom from being **abandoned or locked** in a room.
- You can **stay in the school** you went to before foster care, unless it is not in your best interests.
- You will receive appropriate **education, access to transportation, and participation in school and other activities**.
- You will have a **safe space** to store your things.
- You will live in a place with a **caregiver who knows and understands** your history, if important to your case.
- You will live in the **least limiting** place that fits your needs.



SAFEGUARDS FOR YOUR CASE

- The judge or magistrate who holds your permanency planning hearing will **communicate with you in a way that fits your age**.
- You'll have **help writing and reviewing your case plan**, as fits your age and level. If you are 12+, you'll **receive information** about where you live and your case plan, as well as any changes to that plan.
- Your court records will be **confidential**, as required by law.
- You'll have **fair and equal access** to available services, places to live, care, treatment, and benefits based on your treatment plan.
- You will **not be discriminated against or harassed** because of your race, ethnic group, national origin, religion, sex, sexual orientation, gender identity, gender expression, mental or physical disability, or HIV status.
- There will be a **successful handling** of your case.
- There will be **planning aimed at your safe return to your family or for your move to another forever home**.
- If you are 12+ and it fits your level, you are able to **be involved in meetings** where decisions are made about your future. The department will bring **your family and other supports together** when plans for your future are decided.
- If you are 0-11, you will have an attorney **guardian ad litem (GAL)** who fights for what they decide is best for you. If you are 12+ you will have a **Counsel For Youth (CFY)** arguing for what you want.

**QUESTIONS OR COMMENTS?
TALK WITH YOUR GAL OR CFY!**

3. WHO ARE THE PEOPLE IN YOUR D&N CASE?



JUDGES / MAGISTRATES

Judges and people like judges called magistrates make most decisions in D&N cases—like where you will live, how often you will see your parents, and what has to happen for your home to be safe.

They may receive information before or during hearings.

What is your judge or magistrate's name?





GAL

GAL stands for Guardian *ad litem* - that's Latin for "Guardian for the lawsuit".

A GAL is an attorney who argues for what they decide is best for you.

If you are between the ages of 0 and 11, you have the right to a GAL.

Do you have a GAL? **YES** **NO**

What is your GAL's name? _____

What is your GAL's number? _____

CFY



CFY stands for Counsel for Youth.

A CFY is an attorney who argues for what you want.

If you are older than 12, you have the right to a CFY.

Do you have a CFY? **YES** **NO**

What is your CFY's name? _____

What is your GAL's number? _____

NOTE: Have your GAL or CFY help you with this page!



GAL AND CFY HELPERS

Some GALs and CFY have helpers.

These helpers are often called Case Coordinators or CCs.

Does your GAL or CFY have a helper? **YES** **NO**

What is their name?

What is their number?

CASEWORKERS



Caseworkers try to help you and your family become safe.

What is your caseworker's name?

What is your caseworker's number?



CASAs

CASA stands for Court Appointed Special Advocate.

Some young people with D&N cases get a CASA.

A CASA isn't an attorney. They tell the court what they think is best for you.

Do you have a CASA? **YES** **NO**

What is their name? _____

What is their number? _____

ATTORNEYS FOR PARENTS



Most parents have attorneys in D&N cases.

These attorneys stand up for what parents want. They may be called Respondent Parent Counsel or RPC.



COUNTY ATTORNEYS

Court attorneys stand up for what caseworkers want.

CLERKS



Clerks help judges and magistrates. You may see clerks talking with a judge/magistrate, typing notes or scheduling court dates.



POLICE

You may see police when you walk into the courthouse, making sure no one brings weapons inside.

You might also see police in courtrooms and in hallways, making sure things are safe.

VISITATION SUPERVISOR



When you spend time with your parents, a family time supervisor may make sure things are safe and take notes about how things are going.



THERAPISTS

You might have a therapist to talk with about how you are doing, how you are feeling, much more.

Do you have a therapist?

YES

NO

What is their name?

What is their number?

**YOU CAN USE THE NEXT PAGE TO
KEEP TRACK OF THE NAMES AND CONTACT
INFORMATION FOR OTHER PEOPLE
ON YOUR CASE!**



NAME:

JOB:

PHONE:

NOTES:

NAME:

JOB:

PHONE:

NOTES:

NAME:

JOB:

PHONE:

NOTES:

NAME:

JOB:

PHONE:

NOTES:



4. WHAT DOES YOUR ATTORNEY DO FOR YOU?



REMINDER

If you are younger than 12, you have the right to a Guardian ad litem (GAL). This is an attorney who argues for what they decide is best for you.

Every young person with a D&N case has a right to an attorney.

If you are 12 or older, you have the right to a Counsel for Youth (CFY). This is an attorney who argues for what you want.

WHAT YOU CAN EXPECT FROM YOUR GAL

TALK WITH YOU



Your GAL will talk with you about your case, see how you are doing, and speak to you in a way you'll understand.

LEARN ABOUT YOU



Your GAL will see you with your caregiver and where you're living. Make sure you share with them what you want.

BE IN COURT

Your GAL will attend court hearings, argue for what they decide is best for you, and give you notice about every hearing's date, time, and location.



They'll talk with you about how D&N cases work, your right to go to court, and the reasons why you should go.

They'll also talk with you after court about what happened, and your feelings.

VISIT YOU

Your GAL will visit where you live no later than 30 days after becoming your GAL.

If you're placed far from the court where your case is, your GAL may visit you in other ways,



GIVE YOU ADVICE

You can expect your GAL to decide what is best for you by investigating your case and asking about the things you want.



WHAT YOU CAN EXPECT FROM YOUR CFY

TALK WITH YOU

Your CFY will talk with you about your case, rights, and much more in a way you'll understand.

Your CFY will learn about you and your family. They'll also stay in contact with you



VISIT YOU

Your CFY will visit where you live no later than 30 days after becoming your CFY.

If you're placed far from the court where your case is, your CFY may visit you in other ways (over the phone, texting, emailing).



BE IN COURT FOR YOU

Your CFY will attend court hearings, argue for what you want, and give you notice about every hearing's date, time, and location.

Your CFY will also argue for you. You should talk to them about how you are feeling.

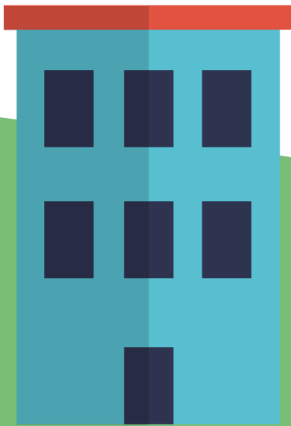
After court, your CFY will talk with you about what happened and your thoughts.

BE A RESOURCE

Your CFY will be a resource to you, and give you advice about the things you want.



5. WHERE ARE SOME PLACES YOU MIGHT GO DURING YOUR CASE?



FAMILY-TIME CENTERS

Some young people visit with their parents or siblings here.



DEPARTMENT OF HUMAN SERVICES

This is where caseworkers work.

You may go to the Department for meetings or to visit your parents.



COURTHOUSE

This is where hearings in your case will happen.

A hearing is when your case is talked about in court.



THERAPY

Therapists talk with people about how they are doing, how they are feeling, and more.

You may see a therapist during your case.

6. WHAT ARE SOME IMPORTANT DATES YOUR CASE?

There are many dates in your case you should know.

There will be meetings, family time with your parents and siblings, appointments with a therapist, and different hearings.

Hearings are when your case is talked about in court. They are VERY important!

During a hearing, lawyers will talk with the judge/magistrate and important decisions will be made about what will happen in your case and life.

You have the right to attend and fully participate in every hearing in your D&N case.

Your GAL or CFY must give you notice (the date, time, location, and reason) of every hearing in your case.

Take a look at the next page to learn about some of the hearings that will take place in your case.

Preliminary Protective Hearing

A judge or magistrate will decide where you live for a short period of time. If they decide you will not live with your parents, they will also decide what your time with your family will be.

1

Pretrial Hearing

The parties will say if they agree that the court should have the power to make decisions about your family for a longer period of time.

2

Adjudicatory Hearing

A magistrate, judge, or jury will decide if the court should have the power to make decisions about your family for a longer period of time.

3

Dispositional Hearing

A judge or magistrate will decide where you live and what services your family needs.

4

Permanency Hearing

A judge or magistrate will decide a plan for your future home.

5

Placement Review Hearing

A judge or magistrate will review where you are living and whether it is a good place for you.

6

7. WHERE CAN YOU SHARE FEEDBACK ABOUT YOUR ATTORNEY?



How you feel about your GAL or CFY matters.

The best way to share this is by visiting the Office of the Child's Representative's website at <https://coloradochildrep.org/youth/#youth-feedback> and answer the questions about your GAL or CFY.

Your answers will help make things better for young people with D&N cases.



The next pages of this toolkit are a calendar for you to use!

Some things you might want to write down are meetings, visits, and hearing dates.

JANUARY



SUN

MON

TUE

WED

THU

FRI

SAT

FEBRUARY



SUN

MON

TUE

WED

THU

FRI

SAT

MARCH



SUN

MON

TUE

WED

THU

FRI

SAT

APRIL



SUN

MON

TUE

WED

THU

FRI

SAT

MAY



SUN

MON

TUE

WED

THU

FRI

SAT

JUNE



SUN

MON

TUE

WED

THU

FRI

SAT

JULY



SUN

MON

TUE

WED

THU

FRI

SAT

AUGUST



SUN

MON

TUE

WED

THU

FRI

SAT

SEPTEMBER



SUN

MON

TUE

WED

THU

FRI

SAT

OCTOBER



SUN

MON

TUE

WED

THU

FRI

SAT

NOVEMBER



SUN

MON

TUE

WED

THU

FRI

SAT

DECEMBER



SUN

MON

TUE

WED

THU

FRI

SAT