



BENCH CARD

*This **Dual Status Youth Bench Card** was created to provide guidance to judicial officers hearing matters involving dual status youth (DSY) at various stages of court processing, including pre-adjudicatory and dispositional hearings. The term “dual status youth” refers to a youth involved in the child welfare and juvenile justice systems, specific to the jurisdiction’s target population.*

Pre-Hearing Case File Review by Judicial Officer

Delinquency and Dependency files should be reviewed to confirm:

1. The youth is within the defined target population.
2. Child welfare and/or dependency case(s) status (e.g., current orders, pending matters, scheduled review hearings).
3. Delinquency case(s) status (e.g., processing stage of proceeding[s], existing orders, motions to be considered).
4. Identification of assigned child welfare (dependency) and juvenile justice (delinquency) case workers.

Courtroom Process

1. Identify all of the parties and others present in the courtroom.
2. Make a record of all persons in attendance
(e.g. assigned attorneys, parents or custodial family, treatment providers, etc.).
3. Note the established dual status youth protocol.
4. Query the assigned attorneys regarding any additional matters not on the current docket but associated with the pending matter.

Dual Status Youth Processes

The judicial officer is charged with verifying that the endorsed dual status youth process/protocol is being utilized and followed properly. It is the judicial officer’s responsibility to make the following inquiries during the instant court proceeding:

1. Has the youth been properly identified as a member of the target population?
2. Was the cross-system identification made in a timely manner?
3. Were the initial cross-system communications made by professional staff (e.g., social worker, probation or court official) in a timely manner as prescribed by the protocol?
4. Has the relevant and lawful information and/or record(s) been shared by the professional staff to support the next steps in the dual status youth protocol?

Conduct a Query of the Multi-System Practices

The judicial officer is also responsible for ensuring that the multidisciplinary strategies and practices established by the dual status youth protocol are followed. It is recommended that the judicial officer ask the following set of questions.

1. Was a Multi-disciplinary Team meeting (MDT) conducted?

- Was it convened in a timely manner?
- Were the mandated parties present?
- What are the name and role of additional parties present?
- Was there consideration of current Risks-Needs-Responsivity factors from multiple relevant agencies and/or organizations (safety, behavioral health, education, etc.)?
- Were the proper authorizations and/or consents obtained?

2. Were a set of recommendations developed collaboratively?

- Is there consensus among the MDT for these recommendations?
- Have attorneys had the opportunity to review the recommendations in a timely manner according to the dual status youth protocol?
- Are treatment, supervision and service recommendations articulated in order of priority?
- Are timelines for implementation of the recommendations and the specific parties responsible for oversight of each clearly articulated?
- In view of these recommendations, is there an agreement on the recommendations for handling the delinquent matter(s) before the court?

3. Youth and Family Voice

- During the MDT, was the youth voice heard concerning his/her perspective related to the current home and placement status, previous or current treatment services, educational situation, and concluding treatment recommendations?
- During the MDT, was the family or caregiver voice heard concerning his/her perspective related to the current home and placement status, previous or current treatment services, educational situation, and concluding treatment recommendations?

Would the youth and/or family/caregiver like to be heard today in court on the recommendations before the judicial officer?

Risks, Strengths, Needs, Responsivity Factors

Hearings are opportunities for the judicial officer to highlight and explore the factors research shows are essential in effective case planning. Recommended questions include the following:

1. Pro-Social Activities and Connections

- In what extra-curricular activities does the youth participate (e.g., drama club, church activities, scouts, team sports)?

- Does the youth have a connection to caring and supportive adults (e.g. mentors, teachers, family friends)?
- What are the youth's personal goals and interests, and related strengths and/or assets?

2. Placement/Family

- Ask the youth where he/she is placed. What is the youth's opinion/impression of the placement?
- Identify how many placements the youth has been in since entering care.
- Discuss the current status of their placement (i.e. will the youth achieve permanency in this placement, is the youth comfortable and thriving in the placement, are relatives providing kinship care linked with all available support?).
- Inquire if there is additional family or kin that may provide a suitable living situation and what efforts are being made to identify new potential relatives.
- Inquire about sibling relationships and visits.

3. Education

- Confirm that the youth is attending school (identify the school, grade level, progress toward graduation).
- Discuss with the youth any current and/or needed educational services.
- Inquire about any educational successes and challenges.

4. Mental Health/Substance Abuse

- Inquire about any mental health or substance abuse services being provided and the effectiveness of those services (inquiry to include discussion about the specific type of intervention, the service provider, length of participation in the services, and impact on youth and/or family behavior).
- Inquire about any medication prescribed for the youth. When was the medication last reviewed or evaluated for effectiveness? Does the youth report side effects or concerns?
- Review assessments and/or inquire of providers regarding trauma:
 - Has the child experienced a traumatic event?
 - Has the child experienced multiple traumatic events?
 - Is the child experiencing trauma symptoms?
 - Has the child been screened or assessed for a trauma disorder?

Case Dispositional Order

The Judicial officer shall articulate the orders to the participants in the proceeding. The order should include:

- treatment, supervision and / or service recommendations, time lines, and person(s) responsible for implementation, and
- next dates for any pending proceedings in either the dependency or delinquency courts. Hearing the matters at the same date and time is preferred.