

Court Report Format

- A. Introduction – The Court Report has been designed to**
- a. make it more child-focused.
 - b. make it more standard and user friendly.
 - c. help volunteers understand that report writing is a process and is best done in stages.

B. Report Outline

FACTS/CASE STATUS: (stage 1)

Persons Interviewed

Records Reviewed

Visits with the child

NEEDS AND WISHES OF THE CHILD: (stage 2)

Description of the child

Placement

Educational

Psychological, Emotional, Health, or Care Needs

Contact with Family or Friends

Safety/Protection

Financial/Material Needs

Wishes of the Child

Permanent Plan for the Child

Adoption Status (if applicable)

Other

AVAILABLE RESOURCES: (stage 3)

Within Family

Within Community

ISSUES FOR THE COURT’S ATTENTION: (stage 4)

1. Numbered bullets

RECOMMENDATIONS TO PROTECT AND PROMOTE THE BEST INTERESTS OF THE CHILD: (stage 5)

1. Numbered bullets

C. DESCRIPTION OF REPORT ITEMS

HISTORY/FACTS/CASE STATUS: *For the dispositional report, this section begins with a brief narrative summary of the petition that brought the case into court. For a review hearing, this section begins with a brief summary of what was ordered from the last hearing. Describe injuries or neglect and family history, if any, with DSS.*

The facts/case status section then continues with a narrative report of each contact the volunteer makes. One suggestion is to arrange the narratives in order of contacts such as a paragraph about the parents, then one about the schools, the medical providers, etc. At subsequent review hearings, discuss the parent's compliance with court orders.

You do not need to repeat facts/case status on each successive report, only the new information obtained.

If the hearing was continued, use the same report for the next hearing, but update the information so that it is the most current. Remove any outdated information that is no longer relevant.

Anything that you would want the Judge to know, or that you would testify to if you were called to the witness stand. Remember, too much information opens you up to attack by the parent's attorney.

Persons interviewed: *(Start with the child(ren), then the parents, then other contacts and relationship to the child.)*

Examples:

Mary Jones	Child
Susan Jones	Mother
Foster mother	

Records Reviewed: *List all of the records that you used to support the facts and the recommendations.*

Examples:

Department of Social Services Court Report
Criminal records

Visits with the child *(Dates and places of the visits)*

Examples:

July 5, 2012	At the foster home
July 9, 2012	In the family home

NEEDS AND WISHES OF THE CHILD *(These are all narrative statements. All relevant matters should be discussed) This section in its entirety should be included in each report submitted to the court. It should always be the newest and most up to date information.*

Description of the child: *(Describe the child physically as well as personally, i.e. 7 years old, of average weight and height, outgoing, shy, engaging smile, etc. If the child is verbal, what did he or she say, etc .Be very descriptive. Quotes are good, but be brief. Attach picture if possible)*

Placement: *(Describe the current placement, is it suitable, are siblings there, are there other children, any recommendations; any prior or future placements etc.)*

Educational: *(If the child is in school, discuss academic, attendance, behavioral and readiness for school issues)*

Psychological, Emotional, Health, or Care Needs: *(Observations, thoughts, on emotional health of the child, possible need for psychological or physical health evaluation, etc. Is the child in therapy, how often, current doctor, medications, shot record, etc)*

Contact with family or friends: *(Recommendations for visitation, contact with family. How has the placement changed this contact, i.e. placed in new school district, out of county or out of state)*

Safety/Protection: *(Are there any concerns for the child's safety/protection)*

Financial/Material Needs: *(May be of concern especially if child is placed with relatives. If placed out of home, any personal belongings, pictures, etc. Child support if parents capable of working.)*

Wishes of the Child: *(Child's wishes must be made known to the court, even if GAL does not consider them to be in best interests)*

Permanent Plan for the Child: *(Reunification, relative placement, guardianship, adoption; discuss progress, or lack of, being made toward plan)*

Adoption Status: *(If applicable) If the child is not free for adoption, this subsection can be deleted.*

Other: *(Any other information considered relevant and helpful) This may include any information not covered in other subsections that the court needs to be aware of. An example of this would be any juvenile delinquency proceedings. If there is nothing to include in this subsection it can be deleted.*

AVAILABLE RESOURCES: *For each need identified try to locate a resource in the family or community that can meet each need.*

Within family: *(Those persons capable, willing to offer assistance.)*

Within Community: *(Those agencies/entities who can and will offer support.)*

ISSUES FOR THE COURT’S CONCERN: *(These are numbered bullet statements considered most important for the court to know. Any issue mentioned here should be explained in detail in the body of the report. Positive statements, reports of progress are good.)*

Examples:

1. There have been four previous substantiations and two unsubstantiated reports of neglect.
2. The mother has a history of drug and alcohol abuse issues dating back to 10/04.
3. The paternal grandparents have been very supportive and cooperative. *(Provide evidence)*

RECOMMENDATIONS TO PROTECT AND PROMOTE THE BEST INTERESTS OF THE CHILD: *(These are numbered bullet statements. All recommendations should be supported in the body of the report. Recommendations for custody are listed first, followed by recommendations for visitation, then services.)*

Examples:

1. Legal custody and placement authority remain with Department of Social Services.
2. Visitation with mother to be supervised by DSS.
3. Mother obtain substance abuse assessment and follow all recommendations.
4. Review on August 14, 2012. *(A specific date usually within 60 to 90 days.)Or if next court calendar is not available:*
5. Review during first court term in August, 2012.

Guardian Ad Litem

Guardian Ad Litem Supervisor

Date Submitted

* Report was sent electronically to the GAL office by the volunteer.

D. QUESTIONS

1. Do I include the entire case history at each successive court date?

Answer: You are not required to include the entire case history in each successive court date. In fact if it takes up more than about a page it is probably not a good idea to include all of the past history. You only need to address any changes and pertinent information since the last hearing. When in doubt talk with you case supervisor.

2. I don't have a paper or anything written that tells me exactly what the court decided at my last court appearance. The judge usually says something, and I leave right after that. Is there a way that someone could email us with the results of our case before we have to write the next report?

Answer: Cindi tries to send out an email with the notes that staff take in court within a week or tow of court. This is not official; the official record is the Order that is signed by the Judge. When you begin writing your report check with your case supervisor to see if we have this order in the file, and we can scan it and send it to you.

3. Under the section of Needs and Wishes of the children, I'm never sure if I should write something there or address all the concerns in the different sub-sections. I usually do both, but sometimes there is repetition. Is it permissible to say "See above"?

Answer: It is not a good idea to say "see above" as it makes it more difficult for the Judge to read quickly. It is better to repeat in more than one section.

4. In listing the persons whom I've contacted, do I have to be specific with whether of not they're email, phone, or face to face visit?

Answer: It is not necessary to be specific as to how the interview took place; however, there may be times when you believe the Judge should know how the information was collected. There is no right or wrong so use your best judgment.

5. How do I include something that happens after I've submitted my court report but before the actual court day?

Answer: Ask yourself the question will this information change my recommendations? If the answer is YES, on a separate paper document this new information and list the changes to your recommendations. This will be submitted to the court as an addendum to your report. If your recommendations are NOT affected, we just need to make our attorney aware of the new information either by a verbal update or an email with the additional information.

6. When I write the next report, do I include contacts that were in the two week period between the time I submitted my report and the actual court day?

Answer: This is not necessary as we would have had this information available at the time of the court hearing with either your addendum or your verbal update.

7. There is a lot of information that is relevant but doesn't fit into the categories of the form. How do I get information into the report that I think is pertinent and that my recommendations are based upon?

Answer: Any pertinent information should be included in the first header of the report. We have been using the title of HISTORY which does not reflect the information that should be included. In the past it has been titled FACTS, which did not reflect the information either. That first header CASE STATUS / HISTORY / FACTS is the catch all section. If the information relates to the children it may be repeated under the NEEDS & WISHES OF THE CHILD section as well.

8. Can we include information gleaned from phone calls, emails, etc.?

Answer: Yes, any information that is relevant to the case and that will help the Judge make a good decision should be included no matter what the source. It is appropriate to site where the source came from as it may make a difference as to how much weight the Judge places on this information.

9. Is there any specific information from medical doctors, therapists, teachers we should be putting into the court report?

Answer: Any statements made by professionals in interviews or reports that you believe the Judge needs to know should be included. Use quotes and list where the information was obtained. Any reports discussed in the court report should be in the office file that goes to court. Often times statements from professionals are used by the GAL Volunteer in making recommendations to the court. If that is the case by all means include the information to support your recommendations.

10. What should we be looking for when we observe DSS-supervised visits and include into our court reports?

Answer: See the "Visitation Observation Checklist"

E. TIPS

No inflammatory information – there should be no inflammatory information directed towards any party including the social worker, parent, or caregiver (only state the facts)
Talk about the issue not the emotion!
The report should be written in the 3 rd person - use the GAL, the volunteer do not use I or me
Report should be factual – all recommendations supported by facts
Includes wishes of child – these are the expressed wishes of the child (not the same as the best interest of the child)
Report is child-focused
Recommendations cover needs – any identified needs not already being met should have a recommendation
Information gathered by GAL – never use information from other sources i.e. family or social worker without first verifying the information
Recommendations supported in body of report
Includes dates GAL visits child – Best Practice is a minimum of once per month face to face visit with the child client
Turned in by GAL deadline – reports should be turned into the GAL office several days prior to the calendar call with the attorneys
Thorough - shows GAL's work
GAL's concerns obvious to Judge
Supportive evidence cited/attached
Conforms to format – format developed by GAL Office available on line at www.gal4kids.org
Report helps establish permanency plan for the child
GAL opinion in appropriate place – if it is an opinion not a fact state “in the GAL's opinion”
Interesting – if your report is written well i.e. to the point (concise, not wordy), clear, supported by facts, grammar, punctuation, spelling, and interesting it has a better chance of being read
When using acronyms, use the full term with acronym in parenthesis then all appearing after that use only acronym
Do not refer to the parents/caretakers by their first names – use their proper names or Mr. & Ms.
The first time you use the child's name, use the proper name after that you can refer to them by their first name
Begin writing the report early and add information as it is collected – do not wait until the last minute

F. RECOMMENDATION EXAMPLES

Placement/custody

1. Custody of Johnny Doe be given/ or remain with Onslow County DSS.

(if there is a specific caretaker)

2. Placement of Johnny Doe be given/or remain with maternal grandparents Mr. & Mrs. Roe.

If there is not a specific caretaker, you only need to recommend DSS have custody, and it is assumed that they have placement authority.

Change in case plan (going from reunification to another plan)

1. The court cease reunification efforts with parents Ms. Roe and Mr. Doe.

2. The case plan be changed to custody with a relative.

Options for permanency: custody with a relative, custody with a court approved caretaker; guardianship, adoption

DSS is required to work a concurrent plan at all times if the plan is reunification the concurrent plan is custody with a relative if the plan is adoption the concurrent plan could be guardianship. The concurrent plan does not need to be set by the court, only the primary plan. Sometimes the court will order a dual case plan of relative custody and adoption. This is not necessary and should not be asked for.

To close a case

Child returned to both parents with no future reviews.

1. Custody be given to the parents Mr. Doe & Ms. Roe.

2. The courts jurisdiction be terminated.

3. Release the Guardian ad Litem and Attorney Advocate.

Child returned to one parent only. Any future reviews regarding custody issues will be heard in another court not DSS court.

1. Custody be given to the mother Ms. Roe.

2. Mr. Doe have visitation every other weekend and alternating holidays, and as can be agreed upon by both parties.

3. The courts jurisdiction be terminated.
4. The case be transferred to Chapter 50.
5. Release the Guardian ad Litem and Attorney Advocate.

Guardianship be granted to a caretaker. In this example the court on a motion from any party could review the case to deal with any issues that may arise. Guardianship can also be transferred to Chapter 50 which relieves our court of future reviews.

1. Guardianship be given to the maternal grand parents Mr. & Ms. Roe.
2. The courts cease reviews.
3. Release the Guardian ad Litem and Attorney Advocate.