



# Model Court Communicator

A community collaboration to improve the lives of  
children and families in Weld County

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To the child we cannot answer "Tomorrow," The child's name is "Today."

## Cooper's Story

It is not uncommon to find grandparents raising grandchildren in dependency and neglect cases. Grandparents provide invaluable resources to children and help them avoid foster care placement. A recent continuing legal education course was presented regarding this topic. Two of the grandparent presenters wrote the article below.

Our retirement ended abruptly on the day little Cooper was left to fend for himself...

### *Don & Barb Foster Grandparents raising a grandchild*

Retirement was finally here after many years of dedication and hard work. I retired from school administration and coaching and Barb from Weld County Human Resources. We were excited about having the free time and rest we both needed. We traveled the United States in our motor home for almost 12 years and felt that all of our troubles were left far behind. From out of no-where reality struck in the form of a precious little boy not yet one-year-old, our grandson Cooper.

Our son and his girlfriend, Cooper's biological parents, were both arrested and incarcerated. They were involved in the methamphetamine culture and we all know the rest of the story and what it does to destroy families and the lives of the children left behind.

Our retirement ended abruptly on the day little Cooper was left to fend for himself. We were spending the winter in Arizona when we got the dreaded phone call that Cooper's biological mom had been sentenced to five years in prison and dad was in jail waiting for his sentencing. Grandma Barb caught the first flight out of Phoenix and headed for Colorado to find Cooper. He had been left in a very unsafe environment. From that moment, our lives changed.

We are dedicated to a common goal. We simply will not allow this child's life to be ruined because of the failure of his parents to give him the home, love and security he so richly deserves. To achieve this goal we have spent countless hours and no small amount of our retirement income in courtrooms. We were successful in getting permanent custody of Cooper which means we make all decisions pertaining to his safety and well-being. Needless to say it is very difficult to wear the hat of both parent and grandparent simultaneously. We don't have the luxury of spoiling the child and then sending him home to the parents.

At the time of this writing, Cooper is three and a half years old. We have had him since he was one. I'm in my early seventies and Barb is in her late sixties. Anyone who has raised a child knows how physically and mentally taxing it can be when you're young. You can only imagine how draining it can be when you are our age.

Are we exhausted? Yes, very much so. Are we sorry we gave up our retirement and once again became full time parents? Absolutely not! Would we do it again? Without any doubt whatsoever. We are amply rewarded every morning when Cooper says "Good morning Papa, good morning Mamma", and every evening when he says his prayer and completes it with "I love you so much papa, I love you so much Mamma".

Our final thought is this. If any Grandparents are faced with a similar situation, please step up to the plate and save a young life. The rewards are far greater than the sacrifices.

#### Monthly subcommittee meetings:

- Permanency Subcommittee, 8-22-08, noon to 1p.m., Judge Lowenbach's chambers
- Visitation Subcommittee, retreat on 9-5-08, 1 p.m. to 5 p.m. Location announced later
- Emancipation/Education Success Subcommittee, 9-11-08, noon to 1 p.m., Jury Room C4 in the historic court house

#### Collaborative meetings:

- Child Welfare Collaborative Oversight Committee, 8-21-08, 9 a.m., Plaza West jury room
- Child Welfare Collaborative Model Court Steering Committee, 10-1-08, noon, United Way (814 9<sup>th</sup> St.), Ponderosa Room



## Alternatives to a Day in Court

*Lory Navarro, Family Court Facilitator, Nineteenth Judicial District*

More than any culture, Americans use ‘their day in court’ to settle grievances. This is fitting in some settings, but not in family court. When difficult decisions demand positive outcomes impacting the lives of children, it may be better not to lay the entire responsibility in the hands of a single person (the judge or magistrate) since the most positive outcome for children long term can be *the very act of compromise and cooperation* between and among families when conflicts arise. Conflict dramatically affects how children adjust and develop, and although court intervention is clearly appropriate in some high-conflict cases, offering families the chance to work out differences outside the court room first can be meaningful. This helps them gain confidence in establishing alternative patterns of resolution rather than always relying on the court to resolve their struggles. Following a Chief Justice directive (CJD96-08) in 1996, the Nineteenth was one of the first jurisdictions implementing case facilitations due to a strong commitment in the community for positive, non-adversarial practices meant to provide better, timelier outcomes for children. As a healthy collaborative culture developed over time, our family service and legal communities improved professional communication for families and developed Family Treatment Courts, orientation meetings for new parents, increased use of facilitations, and several in-house, family-inclusive case staffings through Social Services. The outcome has been a purposeful plan implementing earlier parental engagement in treatment and their children’s permanency. Informal meetings in settings outside the attorney’s office, the courtroom, and the probation office have helped to achieve this goal.

Our current culture began with the creation of the family court facilitator position through United Way of Weld County in 1994, later adopted on a statewide basis by the State Judiciary in 1997. Conflicts and difficult decisions in dependency and neglect cases were facilitated by this neutral agent in relaxed, informal meetings outside the court environment that ultimately led to less paperwork, less litigation, and increased motivation by families to make difficult decisions on their own for the sake of their children.

A unique aspect of facilitation is that anyone having a significant legal, professional, or social relationship with a family is invited to come together at one space and time to discuss difficult conflicts and decisions - working things out *together* without being told what to do by the judge. Attendees may include teachers, daycare providers, neighbors, probation officers, clergy, CHAFFEE workers, coaches, mental health professionals, and sometimes the children themselves. If things get heated, breaks are given and a safe, confidential environment for emotional de-escalation is allowed. This is especially important for families early in a case who may be stifled by overwhelming emotions and feelings of shame.

When participants from all walks of life offer input to and about a family from a variety of perspectives in a more private setting, the traditional information and power imbalances between providers and parents are leveled. Despite the best intentions of court and other professionals, there is simply no way that negotiations between highly trained, assertive professionals and distressed parents who are untrained in the legal and mental health processes can be fairly balanced. This danger of undue influence can be minimized when professionals and families are assisted through negotiation by a neutral facilitator. Decisions left in the hands of a single person (the judge, the caseworker, or the custodial caretaker) tip an imbalance of influence by powerful stakeholders. This can halt the cooperative process with the unintended side effect of delayed permanency and instilled blame-placing through contested hearings.

Over time, we have done a better job of offering families opportunities for change in collaborative settings that offer support and inclusion versus giving everyone their ‘day in court.’

### Upcoming Continuing Legal Education (CLE) courses and Special Events:

- Domestic Violence Typologies and Treatment Components, 9-10-08, noon to 1:15 p.m., Weld County Training Center (1104 H Street, Greeley). Free training. Bring your lunch and earn general CLE credits.
- Components of Drug Testing, Tools, and Tampering and Understanding Results, 11-12-08, noon to 1:15 p.m., Weld County Training Center (1104 H Street, Greeley). Free training. Bring your lunch and earn general CLE credits.
- Kids in Court Day, 10-17-08, 11a.m. to 12:30 p.m. (Division 7); 1 p.m. to 2:30 p.m. (Division 9). More information coming soon on this special event for children visiting the court and meeting the judges.



## Outstanding Community Accomplishments

Five individuals on the Weld County Collaborative team were honored with the *Summit Team Award* at the May Children, Youth, and Families Summit in Keystone. They were recognized for their outstanding commitment and professional service to children and families in our community. Team members were Heidi Davidson (from left), Michael Reidel, Theresa Browitt and John Killen. Not pictured is Brandi Puckett.

## Gallery Walk Honors

Weld County won the Bongo Drum for the best Gallery Walk project at the Summit. The display included a slide show presentation featuring a children's collage set to music and an artistic display of the umbrella of services available for families in Weld County. Pictured here are Marsha Stoll, from left, Debra Dodd, Jennifer Peterson, Lory Navarro and Judge Robert Lowenbach.



'To the child we cannot answer "Tomorrow," The child's name is "Today.'" Excerpt from poetry penned by Chilean Poet Gabriela Mistral before her death in 1957.

