



## DENVER JUVENILE COURT

**SUBJECT:** District Plan for Handling Dependency or Neglect Cases

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**To:** Denver Juvenile Court Judges and Magistrates, Clerk of Court, State Court Administrator's Office, Denver City Attorney, Denver Department of Human Services, Office of the Child's Representative, Respondent Parent Counsel, GAL Contract Attorneys, and Child Advocates (Denver CASA)

**From:** Karen M. Ashby  
Presiding Judge

**DATE:** August 2010

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### I. Introduction.

This document sets out the district plan (the "Plan") for handling dependency or neglect ("D&N") cases in Denver Juvenile Court (the "Court"). The Plan incorporates the requirements of Colorado Statutes, Chief Justice Directives 98-02 and 96-08, as well as selected policies and procedures from the NCJFCJ's "Resource Guidelines." This Plan also encompasses by reference any specific Denver Juvenile Court policies/procedures that apply to a specific section.

The Plan was drafted collaboratively by the Court Process Committee of the Denver Juvenile Court. The committee included representatives from the Court, the Denver Department of Human Services ("DDHS"), the Denver City Attorney's Office, Child Advocates (formerly Denver CASA), Guardians ad litem, and respondent parent counsel. The Plan is designed to facilitate the achievement of a permanent home within twelve months for every child (regardless of age) through the front-loading of services, the early development of treatment plans, the early provision of services, and meaningful progress reviews.

There are certain keys to expediting permanency in all D&N cases, including:

- "Front-loading" of services for families through early assessment and early development of meaningful treatment plans;
- Making sure that every court hearing is a meaningful event with defined objectives and/or specific actions to be taken, including ensuring that the professionals are having regular contact with the child;
- Affording the parties, whenever possible, the chance to collaborate and to resolve issues consensually in a non-adversarial, problem-solving environment;
- Focusing on permanency from the very beginning and at every stage of the case; and,
- Avoiding continuances whenever possible. ***A continuance will not be routinely granted and will only be granted when sufficient basis as delineated by statute is provided.***

The following sections outline the process for handling D&N cases in Denver Juvenile Court.

II. Temporary Custody/Advisement Hearing.

A. Purpose.

In cases where a child has been removed, the purpose of this hearing is to determine the temporary legal and physical custody of the child, and to determine the temporary placement of the child. In every case, regardless of whether a removal has happened, the purpose is also to ensure that all respondents that can be identified are identified. In cases where one or more respondents appear, the Court must ensure that they understand fully the D&N process (including potential consequences), and appoint counsel for any indigent respondents that request counsel. The Court must appoint a GAL for the child, and for any respondent that may require a GAL. Finally, the Court must undertake an early case assessment and order services “up front,” whenever possible.

*[see generally, Court Expectations Memo]*

B. Process.

1. Timing.

- a. In cases that are initiated by the removal of a child, the Temporary Custody/Advisement Hearing shall be held within **seventy-two hours** of the removal (exclusive of weekends and holidays), unless an earlier hearing is mandated by statute.
- b. In cases initiated by the filing of a D&N petition (the “Petition”), the Temporary Custody/Advisement Hearing will be held as soon as possible after the Petition is filed, ideally within **THREE days**. The Denver City Attorney's Office will serve the respondents with the summons and petition as provided by the applicable rules of civil procedure.

2. Critical Tasks. The following tasks will be completed at the Temporary Custody/Advisement hearing:

*[see D/N Hearing Memo]*

- a. File and serve the D&N Petition.
- b. Advise respondents as to their rights, potential consequences of the D&N Petition, and permanency options.  
*[see D/N Advisement Form]*
- c. Formally appoint counsel for respondents, if eligible.  
*[see Attorney Clerical Memo]*
- d. Appoint a guardian ad litem (“GAL”) for the child, and for any respondent that may require a GAL.
- e. Make a referral to Child Advocates, if such a referral is determined by the Court to be appropriate.

*[see CASA Description]*

- f. The Court will accept admissions to the D&N Petition from any respondent desiring to make an admission, provided that the respondent is fully advised of his or her rights, and further provided that the Court is satisfied that the any admission is made according to law and is in the child’s best interest.
- g. If a removal has occurred, the Court will hold a hearing and decide whether to continue the removal, and will make all the findings that are required by law in making its decision.
- h. The Court will enter protective orders on the standard “Road Map” Order as needed, including orders regarding temporary custody, visitation, evaluations, release of family information, and for “front loading” of services.  
*[see Road Map Form]*
- i. The Court will inquire as to the whereabouts of any non-appearing respondents and the efforts to locate and notify them.
- j. The Court will order respondents to provide information on relatives and other caregivers by filling out a Relatives Affidavit, and returning the form to DDHS.  
*[See Relative Affidavit Form]*
- k. The Court will inquire as to applicability of the Indian Child Welfare Act (“ICWA”).  
*[See ICWA Assessment Form]*
- l. The Court will set dates for the status hearing or pretrial, as well as the adjudicatory hearing without setting dates beyond the statutory and other designated timeframes, unless with court makes good cause findings.
- m. The Court will order mediation when necessary or upon requests to resolve issues that may otherwise require a contested hearing.
- n. In the event a respondent who does not appear at the Temporary Custody/Advisement Hearing, a continued Advisement Hearing will be set within **THIRTY days** for the purpose of advisement. Notice of the hearing and of the D&N Petition will be served on any non-appearing respondent by the Denver City Attorney's Office. A verified motion will be required if DDHS wishes to serve any respondent by publication.

### III. Mediation, Pre-trial, and Adjudicatory Hearing

#### A. Purpose.

The purpose of an adjudicatory hearing is to determine whether the evidence sustains the allegations in the D&N Petition. If the D&N Petition is sustained, the child will be adjudicated dependent or neglected. If the Petition is not sustained, the D&N Petition will be dismissed. If a respondent does not contest the allegations in the D&N Petition, an admission will be accepted and the child will be adjudicated dependent or neglected. Whenever possible, the adjudicatory hearing and dispositional hearing will be held on the same day.

Prior to an adjudicatory hearing, the parties, in appropriate cases, will have the opportunity to participate in mediation, and/or have a pre-trial conference. The purpose of mediation or a pre-trial conference is to resolve issues without the need for an adjudicatory hearing.

#### B. Process.

##### 1. Timing.

- a. The adjudicatory hearing will be held as soon as practicable, but no longer than **SIXTY days** from service of the D&N Petition in an EPP case and **NINETY days** in a non-EPP case, unless the court finds that the best interest of the child will be served by granting a delay, as allowed by 19.3.505 (3).
- b. Prior to the adjudicatory hearing, the case may be set for a pre-trial conference and/or for mediation. Whether to set the matter for mediation or pre-trial conference will be determined at the Temporary Custody/Advisement Hearing.  
*[see Incarcerated Client Memo]*

##### 2. Critical Tasks.

- a. If the matter is set for mediation, the Court will:
  1. Be available to accept admissions to the D&N Petition if the parties reach an agreement and a respondent desires to enter an admission on that day
  2. Be available to hear and resolve any issues that come up because of the mediation and that require a Court decision.
- b. If the matter is set for a pre-trial conference, the Court will:
  1. Hear and resolve any pre-trial issues prior to the adjudicatory hearing.
  2. Accept an admission to the D&N Petition, if an agreement is reached to tender an admission to the Court. The Court will then either proceed to an immediate dispositional hearing, or set the matter for dispositional hearing.
  3. Dismiss the D&N Petition if a determination is made not to proceed with the case.

- c. If the case proceeds to trial, the Court (judge or jury) will determine if the evidence is sufficient to sustain the Petition. The following will happen:
1. If the Petition is sustained, the Court will proceed to an immediate dispositional hearing or will set the matter for a separate disposition hearing within **THIRTY days** for an EPP case, or within **FORTY-FIVE days** for a non-EPP case.
  2. If the Petition is not sustained as to a respondent; the Court will dismiss that respondent.

IV. Dispositional Hearing.

A. Purpose.

To hear evidence on the question of the proper disposition best serving the interests of the child and the public, and upon hearing such evidence to enter a decree of disposition. If the proposed disposition is a termination of parental rights, a termination of parental rights hearing will be set.

In cases where the decree does not terminate the parent's rights, a treatment plan will be prepared by the caseworker. This plan will be developed with the family members, will include a social history, and will be filed with the Court and provided to the respondents, counsel, GAL's, and the Court at least **FIVE days** prior to the dispositional hearing. The Court shall approve a treatment plan at the dispositional hearing or modify it as appropriate.

If the Court determines that no appropriate treatment plan is possible, the Court shall conduct a permanency hearing.

B. Process.

1. Timing.

- a. The dispositional hearing will be held within **THIRTY days** for EPP cases, or **FORTY-FIVE days** for non-EPP cases, from the date of the adjudicatory hearing. Unless the court finds that the best interest of the child will be served by granting a delay, as allowed by 19.3.508.

2. Critical Tasks.

- a. The Court will set a termination of parental rights hearing in cases where the proposed disposition is a termination of parental rights. The termination of parental rights hearing shall be set within **120 days** and at least **30 days** after filing of the motion.
- b. In cases where a treatment plan is requested, the Court will hear evidence and will make findings as to what the treatment plan will include. The Court will then:
  1. Adopt and order the treatment plan.
  2. Advise the respondents as to the potential consequences of non-compliance with the Court's order, including the possibility of termination of parental rights.
  3. Inquire about the Relative Affidavit.
  4. Inquire about ICWA status.
  5. If a motion for no reasonable treatment plan has been filed, the Court will hold a hearing and determine whether, by clear and convincing evidence, no appropriate treatment plan can be devised. If the Court finds no appropriate treatment plan can be ordered, it shall immediately conduct a permanency hearing, or shall set a permanency hearing that will be held as soon as practicable.

V. Court Reviews.

A. Purpose.

To review the treatment plan and the compliance with and success of the treatment plan

In cases where the child is in an out-of-home placement, the Court will consider the reasonable efforts on the part of DDHS to prevent the out-of-home placement, to reunify the family and to place the child in a timely manner, and will make appropriate findings of either reasonable efforts or no reasonable efforts. A report will be filed with the Court and provided to the respondents, counsel, and GAL's at least **FIVE days** prior to the review hearing

*[see generally GAL Contact Form]*  
*[see generally DDHS Court Report Memo]*  
*[see generally, Stipulation Form/Policy]*

B. Process.

1. Timing.

- a. Review hearings will be scheduled and held at the request of the parties. A review hearing shall be held at least once every **SIX months**. If the child is in out of home placement, a review hearing may also be held as a permanency planning hearing.

2. Critical Tasks.

- a. Some or all of the following actions will be taken at every review hearing.
  1. If removal has occurred or placement is continued, the Court will make appropriate findings regarding placement, reasonable efforts, etc. and sign the Out of Home Placement Orders;
  2. If removal has occurred or placement is continued, whether reasonable efforts have been made to place a child in a timely manner in accordance with the permanent plan;
  3. Determine the continued appropriateness of the permanency goal; (provided all parties are present and notice is NOT an issue)
  4. Determine whether the treatment plan or proposed services need to be modified in light of additional information or changed circumstances;
  5. Review progress on treatment plan goals;
  6. Review visitation and interaction with child.
  7. If the child has been in placement for **fifteen of the last twenty-two months**, the Court will consider ordering a show cause as to why a motion for termination of parental rights has not been filed.
  8. Set the next review date, or a Permanency Planning Hearing, if applicable.

VI. Permanency Planning Hearing.

A. Purpose.

To adopt a permanent plan for a child in out-of-home placement.

B. Process.

1. Timing. A permanency planning hearing will be held as required by law.

- a. Within **TWELVE months** of removal in a non-Expedited Permanency Planning case.
- b. In an Expedited Permanency Planning (EPP) case, the permanency planning hearing will be held within **THREE months** of the dispositional hearing and at least **annually** thereafter.
- c. Adoption of one of the following Permanency Goals:
  - Remain Home
  - Return Home
  - Adoption - Relative
  - Adoption - Non-relative
  - Allocation of Parental Responsibilities (on Trails it says Permanent Custody with Relative)
  - Other Planned Permanent Living Arrangement

2. Critical Tasks.

- a. If out-of-home placement is continued, the Court will make appropriate findings regarding placement, reasonable efforts, etc. The Court will consider whether DDHS is making reasonable efforts to secure a permanent placement and will make appropriate findings. If a child is over the age of **TWELVE** the court will consult with the child in regards to his or her permanent plan.

*[see generally, Youth in Court Memo/Foster Parent Letter]*

*[see generally, Youth Survey Memo]*

- b. The Court will set the next hearing or written review date.



VII. Termination of the Parental-Child Legal Relationship.

A. Purpose.

To obtain judicial findings as to whether there are statutory grounds to sever the parent/child legal relationship and whether termination of the parent/child legal relationship is in the best interests of the child.

B. Process.

1. Timing.

- a. The motion to terminate parental rights may be filed at any time following the dispositional hearing.
- b. The termination motion shall be filed at least **THIRTY days** prior to the schedule hearing.
- c. Termination hearings will be set within **120 days** of the filing of a termination motion unless good cause exists to set beyond this timeframe.
- d. The motion for appointment of an expert witness shall be filed within **TEN** days after the motion to terminate parental rights is filed. If a Parent Child Interactional is also requested, then the motion must include the GAL's position.
- e. Expert reports must be distributed to all parties at least **FIFTEEN days** prior to the termination trial, as required by statute.

2. Critical Tasks.

- a. The Court will determine whether the statutory criteria for terminating the parent/child legal relationship have been met.
- b. If the court grants the motion to terminate parental rights a post termination hearing must be held within **90 days**.
- c. If the Court denies the motion DDHS will be ordered to continue making reasonable efforts to reunite the family.

VIII. Post-Termination Review Hearing.

A. Purpose.

To review and amend as necessary, the post-termination permanent plan that will serve the best interests of the child.

B. Process.

1. Timing.

- a. The post-termination review will be held within **NINETY days** of the initial order of termination hearing.
- b. A written post-termination report is to be filed by DDHS and the GAL at least **FIVE days** before the review. (C.R.S. 19-3-606).

2. Critical Tasks.

- a. The court will determine if the plan is appropriate. The plan will be for adoption, permanent custody, emancipation, independent living, or another goal that serves the best interests of the child.
- b. The Court will determine whether timely and reasonable efforts have been made to place the child in accordance with the permanent plan.
- c. The Court will set further hearings to review the post-termination permanent plan.

## IX. Adoption

### A. Purpose

Adoption permanently places a child with parents who assume all parental rights and responsibilities.

### B. Process

#### 1. Timing

- a. The adoption hearing shall be held as soon as possible after the child becomes free for adoption.
- b. In cases where an appeal is filed and the Court's order terminating parental rights is affirmed, an adoption hearing shall be held as soon as the mandate is received from the appellate court and consistent with this plan.

#### 2. Critical Tasks

- a. The Court shall timely review adoption petitions prior to setting an adoption hearing. If the Court determines it needs more information, it shall notify the parties. If deemed necessary, the Court may set a separate hearing prior to the final adoption hearing.
- b. At the final adoption hearing, the Court shall verify that all statutes governing adoption have been followed, paying special attention to the following:
  1. Parental rights have been voluntarily relinquished or that parental rights have been terminated and the time for appeal has lapsed, or that the appeal process is complete.
  2. The required consents to adoption have been received.
  3. The required home study has been received (unless waived).
  4. Background checks on the adoptive parents have been completed and reveal nothing that would prevent the adoption from happening.
- c. The Court will issue the adoption decree at the hearing and enter an order terminating jurisdiction of that child in the D/N case.

XI. Other.

Other documents setting out Court policy follow this Administrative Order. These documents should also be read. Together, all of the documents state the policy of the Court.

**DENVER JUVENILE COURT POLICY/MEMO LIST**

Attorney Clerical Issues	May 2008
CASA Description	July 2010
Court Expectations	July 2008
DJC Policy #1 Motion/Orders	June 28, 2000 & amended 8/18/00
DJC Policy #4 Original and Copy of Every Document	October 1, 1998
DJC Policy #6 Home studies	June 1, 2001
D/N Advisement Form	June 2010
D/N Hearings	June 2007
GAL Contact Form	October 2007
ICWA Assessment Form	2009
Incarcerated Client Memo	December 2007
Reasonable Efforts Section/Court Report Timeliness	January 2008
Relative Affidavit	June 2009
Road Map Form	May 2010
Stipulation Form/Policy	May 2008
Youth in Court Memo/Foster Parent Letter/Policy	November 2007
Youth Survey Policy/Memo	December 2008

ATTORNEY/CLERICAL ISSUES MEMO



*Denver Juvenile Court*

1437 BANNOCK ST. ROOM 157  
DENVER, CO 80202

TO: Attorneys  
FROM: Shana Kloek, Clerk of Court  
DATE: May 8, 2008  
RE: Clerical Issues

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**Attorney Bills**

As most of you know, the court-appointed counsel system has now gone electronic for respondent parent, contempt, and truancy appointments. As of July 1, 2008, Denver Juvenile Court will ONLY be accepting paper bills for alternate defense counsel. Every other bill must go through the electronic process. Please refer to the attached memo for additional guidelines.

If you have not attended the mandatory class, please contact Carmen Spond at SCAO at 303-861-1111 to register.

**Fee Reimbursement Process**

I have also received a lot of questions regarding the process for reimbursement of certain items such as discovery, service of process, transcripts, et cetera. For those fees that SCAO does not pay, a separate statement of fees along with receipts must be submitted. These statements will be forwarded up to administration for payment (please see attached sheet).

These fees will be processed weekly and you will receive a separate check in the mail or an electronic deposit if approved.

**Motion to Appoint/Pay Expert Witness Fees**

Please remember that you must get PRIOR written approval to go over the previously authorized fee amount before your witness incurs additional expenses.

In order for an expert to be paid, it is most helpful if the attorney submits a Motion to Pay Expert Witness fee (form attached) along with the signed order appointing the expert and the expert's statement of fees. So long as the amount is within that previously authorized by the court, the bill is approved by me for payment and sent up to administration. Delays can occur when the expert directly submits the bill due to various issues such as no order of appointment, no case number, et cetera. And, as mentioned above, when the amount exceeds that of the order of appointment, the Court must approve the excess fees before it can be sent to administration for payment.

## **Appeals**

The Court receiving a copy of the Notice of Appeal the **day** it is filed with the Court of Appeals is essential. The Clerk's Office has had several filed weeks later or which we never even got a copy, which affects the ability of both court staff and the reporters to timely prepare the record. Another issue besides the timeliness of this document is the designation of record portion. Frequently this document contains incomplete information: either the date is incorrect, all hearing dates are not included (i.e. the hearing lasted two days and only one day is listed), and it doesn't indicate whether the hearing was digitally recorded or reported by a court reporter. I ask you to please pay close attention when completing this form and to ask questions at the front counter if you are unsure of dates and whether a hearing was recorded or reported.

Also essential to producing a timely record is resolving the payment issue for the transcripts. My suggestion is that you complete the Motion to Pay Transcript form (copy attached) as soon as the verbal order for termination enters, PRIOR to the filing of the notice of appeal. Please mark the box "appeal" so that all parties, including the transcriptionist and/or court reporter, are aware of an impending deadline. These motions are treated as high priority by the judges and once signed, are given to the court reporter and/or transcriptionist to begin the transcript. Not having a signed order can delay production of a transcript as the reporter/transcriptionist are not supposed to begin work on a transcript until the payment issue has been resolved.

## **Digital Recordings**

Lastly, I have one more reminder about the digital recorders. The digital recorders pick up whatever is in front of the microphone. If you are standing and the microphone is down at your waist, the recorder is not picking up your voice. If you are approaching the bench and talking as you walk, the recorder is not picking up your voice. If you are at the tail end of the table and the microphone is at the opposite end, the recorder is not picking up your voice. Conversely, if the microphone is in front of you and you are whispering to your client, that whisper is being recorded, as are the sneezes, coughs, and shuffling of papers.

I implore everyone to become more conscious of the microphones in the courtroom. If you are not by one, do not speak until you are. If you cannot hear another party, they are probably not being recorded and need to move to a microphone. If you wish a conversation to remain private, move away from the microphone. And lastly, if the microphone seems too loud (i.e. your voice is booming) ask that it be adjusted rather than moving it to the side.

I appreciate everyone's patience as we've worked through staff losses, new judicial officers, and other reorganization efforts. The Court is currently experiencing a large increase in filings which encourages us to review our policies and procedures and determine how we as a Court can function more efficiently. As we continue to implement changes, please contact us with questions: Renee Romero for issues with the Clerk's Office, Monette Paquet for questions regarding division clerk staff, or myself. I do best with email: shana.kloek@judicial.state.co.us.



**Mission of Child Advocates, Denver CASA:**

The Mission of Denver CASA is to advocate for the best interest of abused and neglected children in Denver Juvenile Court through the services of specially selected and trained community volunteers from diverse cultural and ethnic backgrounds.

**Vision of Child Advocates, Denver CASA:**

The National Court Appointed Special Advocate Association “stands up” for abused and neglected children.

Building on our legacy of quality advocacy, we acknowledge the need to understand, respect, and celebrate diversity including race, gender, religion, national origin, ethnicity, sexual orientation, socioeconomic status, and the presence of a sensory, mental, or physical disability. We also value diversity of viewpoints, life experiences, talents, and Ideas.

A diverse CASA/Gal network helps us to better understand and promote the well-being of the children we serve. Embracing diversity makes us better advocates by proving fresh ideas and perspectives for problem solving in our multicultural world, enabling us to respond to each child’s unique needs.

## COURT EXPECTATIONS MEMO

### Memorandum re: Court Expectations

TO: All attorneys, agencies, court staff  
FROM: Judge Ashby  
RE: Court expectations  
DATE: July 15, 2008

As indicated in my April 21, 2008 memo, the Court has developed expectations for each case type that we think will support the Court's ability to hear the increase in scheduled hearings more efficiently. In reviewing current practice it was recognized that judicial officers and court staff have assumed many responsibilities for which agencies, attorneys or parties should be responsible -change to that practice is due. These new requirements place responsibility on all attorneys, agencies, and parties to not only collect information but disseminate it as appropriate and in a timely manner. While many of the requirements relate to initial hearings in various case types there is an ongoing responsibility to update information provided to the Court.

At the meeting on May 8, 2008, I discussed some of the comments received and also listened to some additional concerns raised. Furthermore, the judicial officers have had two follow-up meetings to discuss the matter. Ultimately, the attached document is what I feel is appropriate to expect of the attorneys and other agencies who work in this Court. These are basic expectations that are already part of many of the affected agencies' internal policies, statute, rule or best practice and should not unduly place hardships on attorneys who practice in this Court. These expectations will be put into place for all courtrooms and the judicial officers will be making an individual determination on a case-by-case basis as to how to enforce compliance.

I have taken into account that many of these expectations are already included in internal policy, current practice or easily implemented while others may require notification to the appropriate staff and internal changes to procedure. The effective date for this memorandum and the expectations set forth herein is September 1, 2008.

Thank you for your attention to this matter.



## Dependency and Neglect Petitions

1. Department of Human Services
  - a. Correct legal names
    - i. The correct spelling of names and dates of birth should be included in the original petition
    - ii. Worker should be able to explain how they accomplished verification of identification at the first hearing
  - b. Case History
    - i. The following should be included in the Petition:
      1. Prior D&N cases
      2. Prior voluntary services relevant to the facts in paragraph 6
      3. Prior placements out of the home if relevant to the facts in paragraph 6
      4. ICWA applicability
    - ii. The worker should be prepared to disclose to the Court the following information at the initial hearing:
      1. Prior or pending cases and referrals
      2. Prior placement history that is not relevant to paragraph 6
      3. Prior voluntary services that are not relevant to paragraph 6
      4. Other members of the household
      5. Proposed protective orders
      6. Original risk and safety assessment, when completed
  - c. Subsequent Hearings:
    - i. Reports are expected to be filed at least 5 days prior to a court hearing.
    - ii. Reports are to include any completed updates as to the risk and safety assessment in narrative form
2. Court Appointed Counsel/Guardians *ad litem*
  - a. Correct names
    - i. Review the petition with your client in order to verify the spelling of their name, as well as their children's names
  - b. Effective hearings
    - i. Attorneys are expected to meet with their clients prior to any scheduled court hearing, which does not mean in the hallway on the date of the hearing.
    - ii. Attorneys are expected to contact the social worker prior to any scheduled hearing for an update on their client.
    - iii. Guardians *ad litem* are expected to have met with their clients as necessary to make and respond to recommendations and be prepared to report on their status to the court as required by the policy concerning GAL contact reports previously issued.

## Delinquency Cases

1. District Attorney
  - a. Correct Names
    - i. The correct spelling of names and dates of birth should be included in the original petition
  - b. Petition
    - i. The Petition should be filed with the Court prior to the return filing hearing.
    - ii. Cases in which an at large warrant is being issued need to have the petition filed simultaneously with the issuance of the warrant.
    - iii. The Petition should include ICWA information as required by C.R.S. 19-2-513(3) (a).
  - c. Case History
    - i. The District Attorney should know the status of all of the juvenile's cases, including pending diversion cases, pending cases in other jurisdictions, criminal/delinquent history, etc.
2. Public Defender/Alternate Defense Counsel
  - a. Correct names
    - i. Review the petition with your client in order to verify the spelling of their name, as well as their parents' names
  - b. Effective Hearings
    - i. Attorneys should know the status of all of the juvenile's cases, including pending diversion cases, pending cases in other jurisdictions, etc.
    - ii. Parties are expected to come to court with the Rule 3 already completed.
    - iii. If a writ is needed, attorneys are expected to notify the court expeditiously; at least 10 days notice is required for out-of-county writs.
3. Department of Human Services.
  - a. Referrals – the worker should come to the hearing prepared with what services have been explored for the juvenile and when they can begin.
  - b. Placement Review Hearings - the worker should come to the hearing prepared with the following information:
    - i. Placements to which the juvenile has been referred and the date of referral
    - ii. What placements have accepted or rejected the juvenile and why
    - iii. Length of time before placement will be available
    - iv. Of the placements available, which are the most appropriate and why
    - v. If PET has not approved a level of care or service the basis therefore

## Paternity/Support

Due to the *pro se* nature of these hearings, this section addresses the responsibilities of the Denver Department of Human Services, CSE

1. Paternity Establishment
  - a. Correct Names
    - i. Correct spelling of parties' names/children's names and date of birth
    - ii. Most recent addresses for parties
    - iii. If case involves a relative or other caretaker of the child, documentation relating to that custodial arrangement should be available to the Court at the hearing.
  - b. Effective Hearings
    - i. Whether support debt (TANF) was paid out (months and whether it was waived)
    - ii. What costs are sought/waived
    - iii. Whether retroactive child support is an issue
    - iv. Medical insurance
    - v. Tax dependency exemption
    - vi. Verifiable income from both parties (paystub, tax returns, employer verification, DOL Records)
    - vii. Other child support orders including case numbers, proof of payment (FSR record, paystub, receipts)
    - viii. If there are other biological children, birth certificate or other proof indicating names and dates of birth of children in their care
    - ix. Number of days of overnight parenting time
    - x. Verifiable child care costs, health insurance costs, extraordinary health or other costs (paystub, letter from provider, receipt, cancelled check, etc.)
    - xi. If deviation or a finding of unemployed/underemployed is requested, the reasons for such finding.
2. Support Establishment and Modification
  - a. Correct Names
    - i. Correct spelling of parties' names/children's names and date of birth
    - ii. Most recent addresses for parties
    - iii. If case involves a relative or other caretaker of the child, documentation relating to that custodial arrangement should be available to the Court at the hearing.
    - iv. If paternity is not an issue, evidence of how paternity has been established (genetic tests, birth certificates, signed admissions, testimony) must be presented at court.
  - b. Effective Hearings
    - i. Whether support debt (TANF) was paid out (months and whether it was waived)
    - ii. What costs are sought/waived
    - iii. Whether retroactive child support is an issue
    - iv. Medical insurance
    - v. Tax dependency exemption
    - vi. Verifiable income from both parties (paystub, tax returns, employer verification, DOL Records)
    - vii. Other child support orders including case numbers, proof of payment (FSR record, paystub, receipts)
    - viii. If there are other biological children, birth certificate or other proof indicating names and dates of birth of children in their care
    - ix. Number of overnights
    - x. Verifiable child care costs, health insurance costs, extraordinary health or other costs (paystub, letter from provider, receipt, cancelled check, etc.)

- xi. If deviation or a finding of unemployed/underemployed is requested, the reasons for such finding.
3. Jurisdiction
  - a. Returns of Service must be filed with the clerk's office prior to the hearing, with copies available at the hearing.
  - b. The Returns of Service must be complete.
  - c. The ACA must be able to answer the Court's questions regarding service in accordance with CRCP 4.
  - d. If the Respondent fails to appear, the ACA should be able to answer the Court's question as to his/her incarceration status.
4. Other Case History
  - a. Other JV/DR case numbers (any county) involving this child or other children in order to calculate child support appropriately and/or for consolidation purposes
  - b. Other DN cases involving the parties/children as it relates to custody of the children
  - c. CR cases as it relates to time incarcerated and income abilities.

### Truancy

1. Denver Public Schools
  - a. Correct names - The correct spelling of names and dates of birth should be included in the original petition
  - b. Effective hearings – the school representative should come prepared with the number of missed classes as well as enrollment information.
2. Denver Department of Human Services
  - a. Recognizing that DDHS is not a party on an initial truancy petition, if DDHS has a court liaison present, it would be helpful to the Court for the liaison to be prepared with the following information if available:
    - Current open and active court cases involving the family and DDHS
    - Prior referrals and the results of any investigations
    - Prior services and interventions provided to the family
3. Court appointed attorneys/guardians *ad litem*
  - a. Review the petition with your client in order to verify the spelling of their name, as well as their parents' names

DENVER JUVENILE COURT POLICY #1



Juvenile Court  
SECOND JUDICIAL DISTRICT  
CITY & COUNTY BUILDING  
DENVER, COLORADO 80202

Karen M. Ashby  
JUDGE

POLICY #1

JUVENILE COURT, CITY AND COUNTY OF DENVER, STATE OF COLORADO

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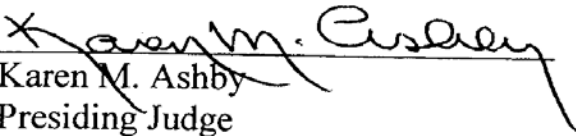
POLICY REGARDING MOTIONS FILED WITHOUT A PROPOSED ORDER

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FROM THE DENVER JUVENILE COURT:

Effective July 1, 2000, the clerk's office is directed not to accept any motion **in a civil case (i.e. any case that has JV, JM, JN, JP, or JS within its caption)** that does not have a proposed order attached. **This policy refers to Motions only. Motions to Terminate Parental Rights are exempt from this policy.**

Issued: June 28, 2000 *amended 8/18/00* (changes in bold reflect any amendments)

  
Karen M. Ashby  
Presiding Judge

**DENVER JUVENILE COURT POLICY #4**

**POLICY #4**

**JUVENILE COURT, CITY AND COUNTY OF DENVER, STATE OF COLORADO**

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**POLICY REGARDING THE REQUIREMENT OF AN ORIGINAL AND A COPY OF EVERY DOCUMENT**

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**FROM THE DENVER JUVENILE COURT:**

Effective October 1, 1998, Denver Juvenile Court instituted a filing procedure that requires one original and one copy of all documents to be filed in the clerk's office. The extra copy is distributed to the courtroom.

Issued: August 18, 2000 *nunc pro tunc* 10/1/98

**DENVER JUVENILE COURT POLICY #6**

POLICY #6

JUVENILE COURT, CITY AND COUNTY OF DENVER, STATE OF COLORADO

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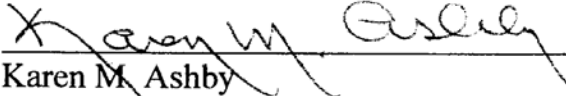
POLICY REGARDING THE REQUIREMENT OF A HOME STUDY FOR ALL KINSHIP  
AND CUSTODIAL ADOPTIONS

---

FROM THE DENVER JUVENILE COURT:

The Denver Juvenile Court requires that a home study of potential adoptive parents be provided in all kinship and all custodial adoptions..

Issued: June 1, 2001.

  
\_\_\_\_\_  
Karen M. Ashby  
Presiding Judge, Denver Juvenile Court

**D/N ADVISEMENT FORM**

**JUVENILE COURT, CITY AND COUNTY OF DENVER, STATE OF COLORADO.**  
**TRIBUNAL DE MENORES, CIUDAD Y CONDADO DE DENVER, ESTADO DE COLORADO.**

**CASE NO.** \_\_\_\_\_  
Expediente Núm.

---

**ADVISEMENT IN DEPENDENCY AND NEGLECT CASE**

**INFORME DE SUS DERECHOS EN LOS CASOS DE DESCUIDO O MALTRATO DE MENORES.**

---

THE PEOPLE OF THE STATE OF COLORADO  
EL ESTADO DE COLORADO

In the Interest of: \_\_\_\_\_  
En interés tutelar de:

Minor Child(ren)  
Menor de edad.

Upon the Petition of: Denver Department of Human Services  
Por petición de:

Petitioner,  
Promovente

And Concerning: \_\_\_\_\_  
Y atinente a:

Respondent(s)  
Tercero(s) responsable(s)

---

YOUR RIGHTS as a respondent parent or guardian in the Dependency and Neglect (D&N) case include the following:

Como padre o tutor demandado en un caso de Descuido o Maltrato de Menores (D&N por sus siglas en inglés), SUS DERECHOS son los siguientes:

1. You have the right to be represented by a lawyer at every stage of the proceedings.

Tiene Usted el derecho de ser representado por un abogado en cada etapa del procedimiento.

2. If you cannot afford a lawyer and the Court determines that you qualify financially, the Court will appoint a lawyer upon your request. The Court will use financial guidelines established by the Colorado Supreme Court and other relevant financial considerations in making this decision. If you do not qualify for a court-appointed attorney, you may hire an attorney of your choice at your own expense.

Si no cuenta con recursos para un abogado, y el Juez determina que Usted califica para ello, se le nombrará a un abogado de oficio a petición de Usted. El Juzgado usa los lineamientos económicos establecidos por el Tribunal Superior de Colorado y otras consideraciones económicas relevantes al tomar esta decisión. Si Usted no califica para un abogado de oficio, puede contratar por su cuenta al abogado que usted elija.

Revised June, 2010.



3. In D&N cases, the Court will appoint a Guardian ad litem (GAL) who is a lawyer. The GAL represents the best interests of the child(ren) as the GAL sees them, which may or may not be what the child(ren) or parents' desire.

En los casos D&N, el juez nombrará un tutor dativo (G.A.L. por sus siglas en Inglés: *Guardian ad litem*). El Tutor Dativo es un abogado cuya función es velar a conforme a su criterio por el interés superior del menor, sea que coincida o no con lo que quieran los padres.

4. If your child(ren) were removed from your custody, you should have received a Notice of Rights and Remedies for Families. Please be sure that you review it with your attorney and that you fully understand the Notice of Rights and Remedies.

Si su(s) hijo(s) fue(ron) separado(s) de su custodia, debió Usted haber recibido una Notificación de Derechos y Recursos Legales para las familias. Por favor asegúrese de revisarla con su abogado, y asegúrese de que entendió por completo la notificación de derechos y recursos.

5. Except for temporary custody hearings, you have the right to have hearings in this case heard by a judge instead of a magistrate. Unless you indicate to the magistrate at the time you are given the next hearing date that you desire the judge to hear the matter, the hearing may be heard by the magistrate. If your lawyer is not present when a matter is set for hearing or if the matter is set on notice, the request must be made within five (5) days after you receive notice that the hearing has been set.

Salvo por las audiencias de custodia provisional, tiene Usted el derecho de que las audiencias en el presente caso sean ante un Juez de primera instancia, y no ante un Juez de instrucción [*Magistrate*]. La audiencia será conducida por el juez instructor a menos que Usted le indique, cuando le den la próxima fecha de audiencia, que Usted desea que sea un Juez de primera instancia quien oiga este asunto. Si su abogado no está presente al programar la fecha de audiencia, o si el caso se programará bajo noticia, la petición deberá hacerse dentro de los cinco (5) días siguientes a la fecha en que reciba notificación de que la audiencia ha sido programada.

6. If you choose to have the magistrate hear the matter, you are bound by the findings and orders made by the magistrate unless you file a request for review of the magistrate's decision within five (5) days.

Si Usted opta por que sea el juez instructor quien oiga el asunto, queda Usted sujeto a los fallos y decisiones que el mismo adopte, a menos que Usted promueva una revisión del fallo del instructor dentro de un plazo de cinco (5) días.

7. At the temporary custody hearing, you will be given a Relative Resource Form. This form lets you provide the names, addresses, and telephone numbers for any family members who may be able to provide a temporary home for your child(ren). This form must be completed and returned to your caseworker within five (5) days or at such other time the judge or magistrate requires. Failure to timely name relatives may result in your child(ren) being permanently placed outside of the home of the child's relatives.

En la audiencia de Custodia Provisional, se le dará a Usted un Formulario de datos de Familiares. Esta forma le permite a Usted proporcionar los nombres, direcciones y números de teléfono de cualesquiera miembros de su familia que puedan proporcionar alojamiento temporal a su hijo(s). La forma debe llenarse y devolverse al trabajador social antes de cinco (5) días o en el diverso momento en que el juez o instructor lo requiera. Abstenerse de nombrar familiares oportunamente, puede tener por consecuencia que su hijo(s) sean alojados de modo permanente fuera del hogar de sus familiares.

8. If you or your child(ren) have Native American or Indian heritage, the Indian Child Welfare Act may apply. An "Indian Child" under the Act is an unmarried person under the age of eighteen (18) who is either a member of an Indian tribe or who is eligible for membership in an Indian tribe and has a parent who is a member of an Indian tribe.

Si Usted o su(s) hijo(s) tiene ascendencia Indígena o Nativo-Americana, puede ser aplicable la Ley de Beneficencia de Menores Indígenas. Un "Menor Indígena" conforme a dicha ley, es una persona soltera

menor de dieciocho (18) años que sea miembro de alguna Tribu Indígena o que reúna los requisitos para ser miembro de una Tribu Indígena y que alguno de sus padres sea miembro de una Tribu Indígena.

9. You have the right to a trial (known as an adjudicatory hearing) before either a jury of six (6) persons or before a judge or magistrate to determine whether the City Attorney, representing the People of the State of Colorado, has proven the dependency petition by a preponderance of the evidence. If the Indian Child Welfare Act is applicable, the burden of proof is by clear and convincing evidence. At the trial, you may question all witnesses called by other parties, present any defenses to the petition, call witnesses to testify on your behalf, and testify yourself. You have the right to have witnesses subpoenaed to require them to appear to testify. You may also be called as a witness by any other party.

Tiene derecho a un Juicio (conocido como audiencia adjudicatoria), sea ante un jurado de seis (6) personas ó ante un juez de primera instancia ó un juez instructor para determinar si es que el Procurador de la Ciudad, en representación del Pueblo del Estado de Colorado, ha demostrado los hechos de la demanda por preponderancia de las pruebas. Si fuera aplicable la Ley de Beneficencia de Menores Indígenas, la carga de la prueba es por prueba clara y convincente. En juicio, podrá Usted cuestionar a todos los testigos llamados por las demás partes, presentar toda clase de excepciones y defensas, llamar testigos para declarar en su favor, y rendir declaración Usted mismo. Tiene Usted derecho a que se giren citatorios requiriendo a sus testigos para que se presenten a declarar. También podrá Usted ser llamado como testigo por cualquiera de las demás partes.

10. You have the right to a trial within ninety (90) days from the date you were served with the petition. If any child on the petition is under six years old when the petition is filed, the hearing will be heard within sixty (60) days. The Court may extend these time periods if it finds that the best interests of the child(ren) will be served by granting a delay.

Tiene Usted derecho a un juicio dentro de los noventa (90) días siguientes a la fecha del emplazamiento. Si cualquiera de los niños tenía menos de seis años a la fecha de presentación de la demanda, la audiencia tendrá lugar antes de sesenta (60) días. El Juzgado podrá prorrogar estos plazos cuando el interés superior de los menores sea satisfecho con dicha prórroga.

11. You have the right to deny or admit any or all of the allegations contained in the petition alleging that your child(ren) are dependent or neglected.

Tiene Usted el derecho de negar o admitir a todos y cada uno de los hechos contenidos en la demanda en los que se alega que su(s) hijo(s) es (son) sujeto(s) a descuido o maltrato.

12. Any admission by you to the petition or amended petition must be made freely and voluntarily, and not the result of any undue influence, coercion, pressure, force, or promises on the part of anyone. The Court is not bound by any promises or representations as to what the consequences will be in this case.

Toda admisión que haga sobre la demanda o su ampliación, deberá hacerse de manera libre y voluntaria, y no como resultado de influencias indebidas, coacción, presión, uso de la fuerza, o promesas por parte de tercero. El Juzgado no queda sujeto a ninguna promesa ni manifestación acerca de cuál será el resultado del presente caso.

13. You have the right to appeal the decision from the adjudicatory hearing to an appellate court after a dispositional order has been entered.

Tiene Usted el derecho de apelar la resolución tomada en la audiencia adjudicatoria ante un tribunal de apelación después de que se haya dictado la orden de disposición del asunto.

14. If the petition is sustained as to a respondent, either at the adjudicatory hearing or after an admission by that respondent, a dispositional hearing will be set as to that respondent. The dispositional hearing involves the Denver Department of Human Services submitting a proposed treatment plan and the Court adopting a treatment plan which is reasonably calculated to render that respondent fit to provide adequate parenting to the child(ren) within a reasonable time and which relates to the child(ren)'s needs. All parties are allowed to appear and present their case as to what treatment plan should be ordered by the Court.

**Si la petición se declara procedente respecto de uno de los comparecientes, sea en la audiencia adjudicatoria o por admisión de dicho compareciente, se señalará fecha para audiencia de disposición respecto de dicho compareciente. En la audiencia de disposición el Departamento de Servicios Humanos (DDHS por sus siglas en inglés) someterá al Tribunal una propuesta de plan de tratamiento y el Juzgado adoptará un Plan de Tratamiento que se considere razonable con objeto de habilitar al compareciente para brindar adecuada crianza al menor, dentro de un plazo razonable y de conformidad con las necesidades del menor. Se permitirá a todas las partes que comparezcan y presenten su caso en lo tocante al plan de tratamiento que consideren que el Tribunal deba adoptar.**

15. As part of the treatment plan, the Court may enter one or more of the following, as well as other orders: **Como parte del plan de tratamiento, el Juez podrá dictar una o varias de las medidas siguientes, así como dictar cualesquiera otras previsiones:**

- (a) that you participate in counseling and pay for evaluations and treatment;  
**Que Usted participe en psicoterapia y pague las evaluaciones y tratamientos a que haya lugar.**
- (b) that you complete parenting classes;  
**Que complete clases de educación parental.**
- (c) that you participate in additional treatment for yourself or your child(ren) which the Court may find to be in the best interests of your child(ren);  
**Que Usted participe en los tratamientos adicionales para Usted o su(s) hijo(s) que el Tribunal considere en el mejor interés de los menores.**
- (d) that the child(ren) reside with the parents or guardian or in an out-of-home placement, such as a residential child care facility, foster home, group home, relative home, or such other place which is deemed appropriate by the Court.  
**Que los menores residan con los padres o con el tutor, o en un alojamiento en casa o fuera de casa, tales como instalaciones residenciales de cuidado de menores, hogar temporal, albergue grupal, en casa de algún familiar, o el diverso lugar que el tribunal considere apropiado.**

16. If out-of-home placement is ordered at the dispositional hearing, it must be shown by a preponderance of the evidence that separation from the parents or guardian is in the child(ren)'s best interests. You would have the right to have the Court review the placement within ninety (90) days after the order is entered.

**Si se dicta orden de alojamiento fuera de casa en la audiencia de disposición, deberá demostrarse por preponderancia de las pruebas que la separación del menor respecto de los padres o tutor, es en el mejor interés del menor. En tal caso, tendrá Usted el derecho de hacer que el Tribunal revise la orden de alojamiento dentro de los noventa (90) días siguientes al dictado de la orden.**

17. You are further advised that termination of the parent-child legal relationship is a possible remedy if the petition is alleging the child(ren) are dependent or neglected is sustained after a trial or admission. Termination of the parent-child legal relationship means that the child(ren) would be eligible for adoption, and means the permanent elimination of any and all legal rights, powers, privileges, immunities, duties, and obligations between the child(ren) and parent, except child(ren)'s status as an heir at law prior to an adoption. A separate motion for termination must be filed at least thirty (30) days prior to the hearing on the motion, and must be proven by clear and convincing

evidence. If the Indian Child Welfare Act is applicable, the burden of proof is beyond a reasonable doubt. At a termination hearing, you have the right to cross-examine witnesses called to testify, call witnesses on your own behalf, subpoena witnesses, and you may testify. If you are indigent, you have the right to have an expert appointed at state expense.

Por añadidura, se le informa que la pérdida de la patria potestad (relación legal padre-hijo) es un posible remedio cuando la petición que alega que el menor es sujeto a maltrato o descuido, se declare procedente ya sea en juicio o por admisión. La pérdida de la patria potestad implica que el(los) menor(es) será(n) elegible(s) para adopción, e implica la eliminación de todos y cada uno de los derechos, privilegios, inmunidades, deberes y obligaciones legales existentes entre el (los) hijo(s) y el (los) padre(s), con salvedad expresa del carácter de heredero legítimo anterior a la adopción que compete al menor. La demanda de pérdida de la patria potestad deberá presentarse por separado cuando menos con treinta (30) días de anticipación a la audiencia, y deberá demostrarse mediante prueba clara y convincente. En los casos en que la Ley de Beneficencia de Menores Indígenas sea aplicable, la carga de la prueba es más allá de la duda racional. En la audiencia de terminación, tendrá Usted el derecho de contrainterrogar a los testigos que sean llamados a declarar, a presentar testigos en su favor, a poner testigos bajo citatorio, y Usted mismo podrá rendir declaración. Si Usted es indigente (carece de recursos), tendrá derecho a hacer que se designe un perito a costa del estado.

18. Concerning the maximum time frames for adjudication, disposition and termination of parental rights, the process could take as long as the following:

En lo referente a los plazos máximos para la adjudicación, audiencia de disposición y audiencia de terminación de la patria potestad, el proceso puede tardar conforme a lo siguiente:

(a) For Children Under Age Six (6):

Para menores de seis (6) años:

- (i) Between the time of service of the initial petition and the adjudication as dependent or neglected, the process can be up to **60 days**.  
Del momento de la notificación del escrito inicial a la adjudicación como dependiente o sujeto a maltrato o descuido, el procedimiento puede tomar hasta 60 días.
- (ii) Between the time of adjudication and disposition, the process can be up to **30 days**.  
De la adjudicación a la audiencia de disposición, el procedimiento puede tomar hasta 30 días.
- (iii) Between the time of disposition and the permanency hearing, the process can be up to **3 months**.  
De la disposición a la audiencia de permanencia, el procedimiento puede tomar hasta 3 meses.
- (iv) Between the time of placement out-of-home and the child being placed in a permanent home, including the filing of a petition to terminate parental rights, the process can take up to **1 year**.  
Del momento del alojamiento fuera de casa a que el menor sea alojado en un hogar permanente, incluyendo la presentación de una demanda de terminación de la patria potestad, el procedimiento puede tomar hasta 1 año.

(b) For Children Over Age Six (6):

Para niños mayores de seis(6) años:

- (i) Between the time of service of the initial petition and the adjudication as dependent or neglected, the process can be up to **90 days**.  
Del momento de la notificación del escrito inicial a la adjudicación como dependiente o sujeto a maltrato o descuido, el procedimiento puede tomar hasta 90 días.
- (ii) Between the time of adjudication and disposition, the process can be up to **45 days**.

De la adjudicación a la audiencia de disposición, el procedimiento puede tomar hasta 45 días.

- (iii) Between the time of disposition and the review of the placement hearing the process can be up to **6 months**.

De la audiencia de Disposición a la audiencia de revisión del alojamiento, el proceso puede tomar hasta 6 meses.

- (iv) Between the time of disposition and the permanency hearing, the process can be up to **1 year**.

De la disposición a la audiencia de permanencia, el procedimiento puede tomar hasta 1 año.

- (v) Between the time of placement out-of-home and the filing of a petition to terminate parental rights, the process can take as long as necessary.

Del momento del alojamiento fuera de casa a la presentación de la demanda de pérdida de la patria potestad, el procedimiento podrá tomar tanto tiempo como sea necesario.

**CERTIFICATION BY RESPONDENT(S)**

**CONSTANCIA POR PARTE DEL TERCERO(S) RESPONSABLE(S).**

As parent or guardian of the child(ren) as alleged in the petition, I hereby state that I have read and understood all of the statements in this advisement form, and that I have been fully advised of and understand the petition or amended petition, my rights in this matter and the possible consequences and that I should review this advisement with an attorney.

Como padre o tutor del menor según se alega en la demanda inicial, hago constar que he leído y entendido todas y cada una de las manifestaciones contenidas en la presente notificación, y que he sido debidamente enterado del contenido de la demanda o su ampliación y que entiendo la misma, así como mis derechos en el presente asunto y las posibles consecuencias, y que es conveniente revisar esta notificación con un abogado.

\_\_\_\_\_  
RESPONDENT  
TERCERO RESPONSIBLE

Date: \_\_\_\_\_  
Fecha: \_\_\_\_\_

\_\_\_\_\_  
RESPONDENT  
TERCERO RESPONSIBLE

Date: \_\_\_\_\_  
Fecha: \_\_\_\_\_

**CERTIFICATION BY ATTORNEY(S)**

**CONSTANCIA POR PARTE DEL ABOGADO.**

The undersigned, as attorney for the respondent(s) in this matter, hereby certify that I have fully discussed with my client(s) the petition, and the contents of this advisement form. In my professional opinion, my client understands all of the above-listed rights.

El suscrito abogado del(los) tercero(s) responsable(s) en el presente asunto, en este acto certifico que he discutido ampliamente con mi(s) cliente(s) la demanda inicial, y el contenido del presente formulario de notificación. En mi opinión profesional, mi cliente entiende todos los derechos arriba listados.

\_\_\_\_\_  
ATTORNEY for  
Abogado de

Respondent \_\_\_\_\_  
Tercero Responsable  
Date: \_\_\_\_\_  
Fecha

\_\_\_\_\_  
ATTORNEY for  
Abogado de

Respondent \_\_\_\_\_  
Tercero Responsable  
Date: \_\_\_\_\_  
Fecha.

**CERTIFICATION BY INTERPRETER**  
**CONSTANCIA POR PARTE DEL INTÉRPRETE.**

I have accurately translated the contents of this advisement form and the above listed rights for the respondent(s) from the English language into the \_\_\_\_\_ language.

He traducido fiel y exactamente del idioma inglés al idioma español el contenido del presente formulario de notificación y los derechos arriba listados a los terceros responsables.

\_\_\_\_\_  
INTERPRETER  
INTÉRPRETE.

Date: \_\_\_\_\_  
Fecha



## Denver Juvenile Court

1437 BANNOCK ST. ROOM 157  
DENVER, CO 80202

TO: Assistant City Attorneys  
Social Workers  
Respondent Parent Counsel  
Guardians ad Litem  
FROM: Judge Karen Ashby  
CC: Gretchen Russo  
Barbara Bosley  
Shana Kloek  
DATE: June 21, 2007  
RE: Dependency & Neglect Hearings

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With our new docket schematic starting on July 1<sup>st</sup>, I thought it would be a good time to reiterate the court's expectations as regards appearance for hearings, especially new dependency filings, and implement some steps that may reduce delay to parties, attorneys, SWs and other participants.

The expectation for new filings is that all parties – assistant city attorneys, social workers, respondent parent counsel, and guardians ad litem, in addition to the respondent parents themselves – appear at 12:30 p.m. in Room 281. At that time, petitions should be passed out, preliminary paperwork completed (i.e. court-appointed-counsel forms, magistrate consent, advisement forms), and protective orders discussed with parties. The hope is that all parties will be ready to proceed to hearing at 1:00 p.m. This becomes especially important as we move into the new docket scheme, since there are only 4 days of new filings, and two of those four days are combined with the GYC docket. Delay in the 1:00 proceedings may result in parties and attorneys waiting for their case to be called after the GYC docket.

Of course, the expectation for all other hearings is that attorneys have met with their clients prior to any court hearing, and are prepared to move forward on the date and time scheduled. The Court will continue to work with DDHS to ensure that reports are filed timely, allowing attorneys to be advised prior to hearing dates of updates and any pending issues/concerns.

I recognize that everyone's time is valuable and I am working with Judicial officers and staff as well to ensure that hearings proceed at the designated hearing times and we reduce delay and wait times for hearings, when possible. Though we each face a number of challenges in meeting the goal of reduced waiting times for hearings I would like each of us to commit to doing our best to have cases heard on time as we move into the new docket on July 1.

## GAL CONTACT FORM MEMO



## *Denver Juvenile Court*

1437 BANNOCK ST. ROOM 157  
DENVER, CO 80202  
720-865-8285

### MEMORANDUM

TO: Guardians ad litem  
FROM: Judge Karen Ashby  
DATE: October 1, 2007  
RE: GAL Contact Reports

On March 1, 2007, I set forth the guidelines for implementation of the GAL Contact Report in dependency & neglect cases for all three judge divisions. Upon further review of the procedure, I am expanding that scope to include all courtrooms and all judicial divisions, including the Magistrate divisions. This expanded requirement will become effective on Monday, October 15, 2007.

As previously discussed, pursuant to Chief Justice Directive 04-06, "Court Appointments through the Office of the Child's Representative", a GAL has the duty to provide current information directly to the Court. In addition, this form will effectively give each judge and magistrate a means to do his or her job, by assuring that we hear relevant information pertaining to a decision to be made. This is as important in delinquency and paternity cases, as it is in dependency cases.

The GAL may either file a Contact Report prior to a hearing directly with the division or verbalize the information during a hearing. This is requested for every review or other hearing in which the GAL is expected to participate. The requested information may be included in any other report or format that the GAL would like to use-e.g. GAL Report or Post-termination Report.

You are not expected to provide information on TDMs, administrative reviews, DCP staffings, or other meetings that everyone on a case attends, but those specific communications or contacts you have made that impact the direction of the case and recommendations that you are making at the hearing.

I anticipate that this procedure will actually help you in your practice, and that it will have a positive impact in the outcome of the case.



# ICWA ASSESSMENT FORM

## ICWA Assessment Form

Caseworker Name: \_\_\_\_\_

Court Case Number: \_\_\_\_\_ JV \_\_\_\_\_ Biological Parent \_\_\_\_\_

Source of Information: \_\_\_\_\_

Date: \_\_\_\_\_

**Please meet with the family and return this completed form to the child welfare legal department within 5 days of today's date.**

**Date to meet with family: \_\_\_\_\_**

- The information requested below is necessary to determine if the Indian Child Welfare Act (ICWA) applies to the child(ren) listed on the petition in dependency or neglect. *At the time of the initial intake, and throughout* a dependency and neglect case, the caseworker is required to ask family members if they or any of their relatives are of American Indian or Alaska Native ancestry.
- This assessment form should be completed by the caseworker after gathering information from a knowledgeable parent, guardian, or family member on behalf of the child whose ancestry is in question. Contact your supervisor or the legal department if you have any questions regarding proper procedure for ICWA compliance.
- PLEASE FILL OUT THIS FORM AS ACCURATELY AND AS THOROUGHLY AS POSSIBLE. THE INFORMATION ON THIS FORM WILL INFLUENCE *THE ENTIRE COURSE OF ACTION* IN THE DEPENDENCY AND NEGLECT CASE.
- A copy of this form will be sent to the identified tribes, so **please make sure that it can be read!**
- Please be sure to sign the form on the last page after completing it. \*
- **PLEASE REMEMBER:** *Continuing* inquiry must be made. When new information is received, please notify the Legal office and add the information to the following assessment form.

Case Number \_\_\_\_\_

Biological Parent \_\_\_\_\_

### ICWA Assessment Form

Please complete the following assessment for each parent.

**I.**

<b>CHILD(REN)'S INFORMATION</b>				
Name of Child	D.O.B.	Place of Birth	Tribe and Enrollment #	Parent Claiming Indian Heritage

**II.**

**BASIC INQUIRY- FAMILY'S TRIBAL IDENTIFICATION**

Was Child living with or removed from the home of an Indian Custodian that was not the biological parent? YES  NO

In the space below, explain how the family is affiliated with an Indian tribe. Please include all identifying information that may be useful (e.g. are any other family members enrolled in a tribe? Do any family members have a certificate of Indian blood? Have any family members resided on a reservation? Are any family members receiving services or monies from a tribe?) Please write "unknown" if no family member can provide any additional identifying information.

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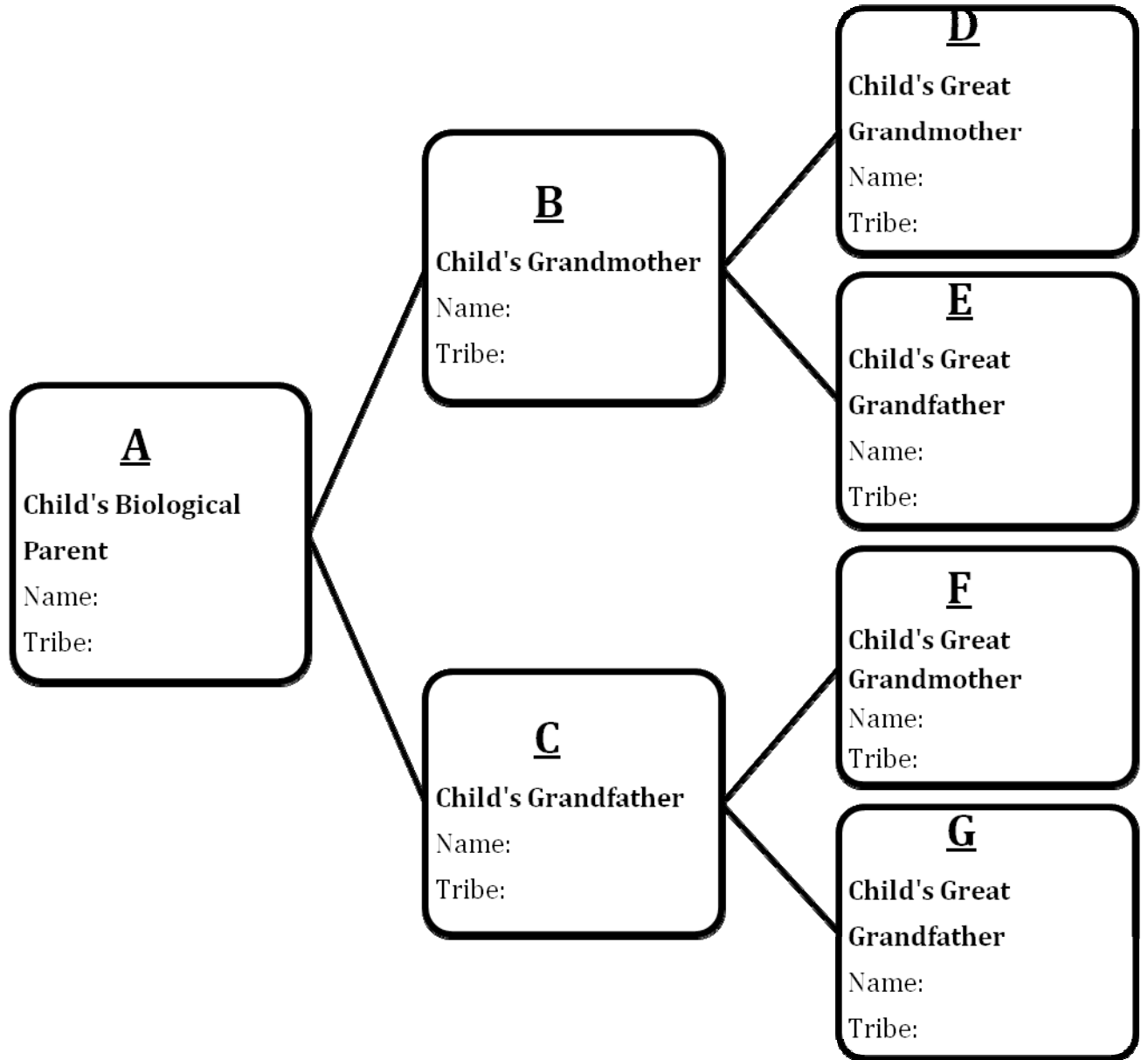
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**ICWA Assessment Form: Parent History Chart**  
**THIS INFORMATION IS FOR THE CHILD(REN)'S**

**RELATIVES**



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**Continue to the next page to complete the information fields corresponding to each family member A-G.**

Case Number: \_\_\_\_\_

Biological Parent: \_\_\_\_\_

**A. Child(ren)'s Biological Parent**

**B. Child(ren)'s Grandmother**

Name (include <u>maiden</u> , <u>married</u> , and <u>former</u> names or aliases):	Name (include <u>maiden</u> , <u>married</u> , and <u>former</u> names or aliases):
Current Address:	Current Address:
Former Address:	Former Address:
Date and Place of Birth:	Date and Place of Birth:
Name and Location of Tribe Affiliated with:	Name and Location of Tribe Affiliated with:
Tribal Membership or Enrollment Number:	Tribal Membership or Enrollment Number:
Date and Place of Death (if deceased):	Date and Place of Death (if deceased):
Social Security # and Additional Identifying Information:	Social Security # and Additional Identifying Information:

**C. Child(ren)'s Grandfather**

**D. Child(ren)'s Great-Grandmother**

Name (include any <u>former</u> names or <u>aliases</u> ):	Name (include <u>maiden</u> , <u>married</u> , and <u>former</u> names or <u>aliases</u> ):
Current Address:	Current Address:
Former Address:	Former Address:
Date and Place of Birth:	Date and Place of Birth:
Name and Location of Tribe Affiliated with:	Name and Location of Tribe Affiliated with:
Tribal Membership or Enrollment Number:	Tribal Membership or Enrollment Number:
Date and Place of Death (if deceased):	Date and Place of Death (if deceased):
Social Security # and Additional Identifying Information:	Social Security # and Additional Identifying Information:

Case Number: \_\_\_\_\_

Biological Parent: \_\_\_\_\_

**E. Child(ren)'s Great-Grandfather**

**F. Child(ren)'s Great-Grandmother**

Name (include any <u>former</u> names or <u>aliases</u> ):	Name (include <u>maiden</u> , <u>married</u> , and <u>former</u> names or <u>aliases</u> ):
Current Address:	Current Address:
Former Address:	Former Address:
Date and Place of Birth:	Date and Place of Birth:
Name and Location of Tribe Affiliated with:	Name and Location of Tribe Affiliated with:
Tribal Membership or Enrollment Number:	Tribal Membership or Enrollment Number:
Date and Place of Death (if deceased)	Date and Place of Death (if deceased):
Social Security # and Additional Identifying Information:	Social Security # and Additional Identifying Information:

**G. Child(ren)'s Great-Grandfather**

**\*PLEASE SIGN!**

Name (include any <u>former</u> names or <u>aliases</u> ):	<b>Name of person(s) who provided information:</b> _____ _____  <b>Relationship to child:</b> _____ _____  <b>Name of Caseworker (print and sign):</b> _____ _____  <b>Date:</b> _____
Current Address:	
Former Address:	
Date and Place of Birth:	
Name and Location of Tribe Affiliated with:	
Tribal Membership or Enrollment Number:	
Date and Place of Death (if deceased):	
Social Security # and Additional Identifying Information:	

## INCARCERATED CLIENTS MEMO

## MEMORANDUM

TO: RPC CONTRACT ATTORNEYS  
JUVENILE JUDGES AND MAGISTRATES  
BARB BOSLEY  
SHANA KLOEK

FROM: JUDGE ASHBY

DATE: 12/3/07

RE: INCARCERATED CLIENTS

It has come to my attention that RPC are not consistently visiting or otherwise communicating with their incarcerated clients in preparation for hearings prior to the hearing date. While it may not be necessary to physically visit with a client prior to each court hearing it is necessary to communicate with clients in some manner prior to the actual hearing date in most circumstances. The failure to do so not only impacts the effectiveness of the representation for that individual client but also causes delay in the hearing for that client as well as others on the docket for the day.

It is an expectation that RPC be in communication with their clients in person, via telephone or letter prior to hearings so that they are not preparing for the hearing on the day that the hearing is scheduled. I recognize that there is additional time and cost involved in visiting with or otherwise communicating with incarcerated clients and when those additional costs are excessive there are means to compensate RPC for that time in appropriate circumstances.

I recently received a Memorandum from Carol Haller, Legal Counsel for the Judicial Department, regarding this issue. I have attached the memorandum for your review and guidance.

While, as Ms. Haller states, it may be possible to communicate with clients, incarcerated or not, in limited circumstances on the day of the hearing I want to clarify that the judicial officers expect that communication with clients will take place sufficiently prior to the hearing date and/or time that it does not cause delay in the proceedings. RPC should expect therefore, to meet with their clients at some time other than in the courtroom at the time that the hearing is scheduled to proceed (such as communicate via phone, letter or in person at the facility where they are housed or, when appropriate, meet with the client in the holding cells on the 4<sup>th</sup> floor prior to the hearing time).

Failure to adequately prepare for hearings in advance of hearings may be a basis upon which RPC contracts are not renewed. I am not trying to institute a policy which is unfair to RPC however I must ensure that those attorneys with whom the Judicial Department contracts for provision of RPC services are meeting their ethical and other obligations.

REASONABLE EFFORTS/TDM COURT REPORT MEMO



Denver Juvenile Court  
 1437 Bannock St. Room 157  
 Denver, CO 80202

MEMO

TO: DDHS Caseworkers

FROM: Allen Pollack, DDHS and  
 Judge Karen Ashby, Denver Juvenile Court

DATE: November 1, 2007

RE: Reasonable Efforts section and TDM addition to Court Reports

Denver Juvenile Court (DJC) and the Denver Department of Human Services (DDHS) have met over the past few months to discuss ways to streamline and improve information contained in court reports. While discussions continue, the Department and the Court have determined that if the court reports contain a “Reasonable Efforts” section, it would assist the reader in locating this information. It would further assist the court when it is required to make reasonable efforts findings, such as in Review and Permanency Planning Hearings.

In addition, the Court and DDHS have also discussed the rationale to include a copy of the TDM report when submitting a court report, if a TDM has occurred since the last hearing. Therefore, starting **JANUARY 1, 2008**, it will be an expectation of the court, that you attach a copy of the TDM report to the court report.

In light of new judicial officers taking the bench, now is a good time to implement these changes. Therefore, the Department and the Court are requiring that all caseworkers add a “Reasonable Efforts” section in Review and Permanency Planning Hearing reports starting **JANUARY 1, 2008**. For a further explanation of reasonable efforts and information on how to add this section to a court report, please read below.

Reasonable efforts are the services or efforts that the Denver Department of Human Services provided to the family to prevent out of home placement or to facilitate reunification. Services that are provided to the family to assist them in completing their treatment plan, facilitate appropriate and least restrictive placements for children, and financial assistance are considered reasonable efforts. In a post-termination or OPPLA case, reasonable efforts would be considered efforts by the Department to facilitate permanency for a child.

Providing information to the Court regarding what reasonable efforts have been provided can be done in a Review or Permanency Planning hearing report. Reasonable efforts can be added in list format following the Family Assessment Update narrative of an FSP Part 5A. In Trails, the list would be entered into the text box of a 5A after completing a detailed summary of case updates.

Below are examples of what reasonable efforts are and ways that they may be listed.

1. Reasonable Efforts Provided by Denver Human Services:
2. SIGNAL Substance Abuse Evaluation for respondent mother.
3. Outpatient Substance Abuse Treatment at Denver Area Youth Services from 2/2006 - 7/2007 (DAYS Strengthening Families Program)
4. Intensive Outpatient (IOP) Substance Abuse Treatment at Outpatient Behavioral Health Services (OBHS) from 7/2007 to present
5. Mental Health Counseling through Servicios de la Raza 1/2006 - 4/2007
6. Mental Health and psychiatric services at OBHS 7/2007 to present
7. Counseling for the child from May 2006 to February 2007 through Caring Hearts
8. Intensive In-Home Services/Therapeutic Supervised Visitation and Family Therapy through Bridges Family Services 1/2007 to present
9. Bus passes for respondent mother February 2006, March 2006, April 2006, November 2006, February 2007 and March 2007
10. Random U/A December 2006 through Wiz Quiz
11. Interpreter Services to the family from August 2006 to present
12. Two Human Service Advocates for supervised visitation at DHS from 2/2006 to 8/2006 and in-home from January 2007 to February 2007
13. Team Decision Making Meetings 8/29/06, 1/4/2007, 4/27/2007, 7/13/2007
14. Relative home studies for placement of children
15. Payment of Special circumstances child care 1/2007 to present
16. Referral to Family to Family
17. Special Economic Assistance in the amount of \$400.00 for rental assistance
18. Coordination with probation officer
19. Monthly home visits
20. Mental health evaluation
21. Parent-child interactional evaluation

Post-termination or OPPLA cases may have different types of reasonable efforts listed, for example:

1. Listing on Adoption Exchange for recruitment of adoptive family
2. Day treatment services for child
3. Sibling visitation
4. Coordination with Diversion program
5. Mental health services for child
6. Developmental evaluation and treatment for child
7. Therapeutic residential placement for child
8. Referral and coordination with Community Center Board for services for child

We hope this adequately explains what the Department and the Court are requiring to be added to court reports. As DDHS and the Court continue to collaborate we would like to remind everyone of the importance of filing **TIMELY** court reports; that means filing reports “**AT LEAST ONE WEEK PRIOR**” to the scheduled hearing.

Should you need additional assistance, please see your supervisor and/or administrator.





This original signed Advisement shall be filed with the Court at the Temporary Custody Hearing and a copy maintained by the Respondent(s) and their counsel.

Case Name \_\_\_\_\_ v. \_\_\_\_\_ Case Number: \_\_\_\_\_

**PART II: AFFIDAVIT**

**Must be filed with the Court no later than seven (7) days after the Temporary Custody Hearing or prior to the next scheduled hearing, whichever occurs first.**

Please list the names, addresses and telephone numbers of the child's relatives, both paternal and maternal, including grandparent(s), aunt(s), uncle(s), brother(s), sister(s), half-sibling(s), and first cousin(s), and provide any comments of the child's potential placement with each person. **Each Respondent shall complete a separate Affidavit.**

I, \_\_\_\_\_, a parent in this action, being duly sworn and upon oath, respond as follows to the requested information.

**1. Family Member**

Full Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Home Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Home Telephone Number: \_\_\_\_\_ Cell Number: \_\_\_\_\_

Comments regarding the appropriateness of the child's potential placement with this relative:

\_\_\_\_\_  
\_\_\_\_\_

**2. Family Member**

Full Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Home Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Home Telephone Number: \_\_\_\_\_ Cell Number: \_\_\_\_\_

Comments regarding the appropriateness of the child's potential placement with this relative:

\_\_\_\_\_  
\_\_\_\_\_

**3. Family Member**

Full Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Home Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Home Telephone Number: \_\_\_\_\_ Cell Number: \_\_\_\_\_

Comments regarding the appropriateness of the child's potential placement with this relative:

\_\_\_\_\_  
\_\_\_\_\_

**4. Family Member**

Full Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Home Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Home Telephone Number: \_\_\_\_\_ Cell Number: \_\_\_\_\_

Comments regarding the appropriateness of the child's potential placement with this relative:  
\_\_\_\_\_  
\_\_\_\_\_

**5. Family Member**

Full Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Home Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Home Telephone Number: \_\_\_\_\_ Cell Number: \_\_\_\_\_

Comments regarding the appropriateness of the child's potential placement with this relative:  
\_\_\_\_\_  
\_\_\_\_\_

**6. Family Member**

Full Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Home Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Home Telephone Number: \_\_\_\_\_ Cell Number: \_\_\_\_\_

Comments regarding the appropriateness of the child's potential placement with this relative:  
\_\_\_\_\_

(Attach more sheets if necessary.)  
I/We swear under penalty of perjury that the above information is true and correct to the best of my knowledge and is a full and true disclosure of all information that is requested.

\_\_\_\_\_  
Parent Signature  
Date

Date

\_\_\_\_\_  
Parent Signature

Subscribed and affirmed, or sworn to before me  
in the County of \_\_\_\_\_,  
State of \_\_\_\_\_, this \_\_\_\_\_  
day of \_\_\_\_\_, 20 \_\_\_\_.

Subscribed and affirmed, or sworn to before me  
in the County of \_\_\_\_\_,  
State of \_\_\_\_\_, this \_\_\_\_\_  
day of \_\_\_\_\_, 20 \_\_\_\_.

My Commission Expires: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public/Clerk

\_\_\_\_\_  
Notary Public/Clerk

**The County Department of Human or Social Services, each parent, the Guardian Ad Litem, and Counsel for each parent shall receive a copy of this form.**

**ROAD MAP FORM**

**DENVER JUVENILE COURT ORDERS**

Your COURT CASE NUMBER is: RESPONDENT:

Your Caseworker’s Name is: Caseworkers Phone#:

Your Attorney’s Name: \_\_\_\_ \_\_\_\_

Your Child’s Guardian Ad Litem is: \_\_\_\_\_

**YOU ARE ORDERED TO DO THE FOLLOWING:**

- 1) Cooperate with the Caseworker, GAL and all professionals on this case
- 2) Always notify your Caseworker, GAL and attorney of any changes to your address or phone number
- 3) Sign any necessary “release of information” as it pertains to this case
- 4) Participate in a Substance Abuse Evaluation:  
Location: 1200 Federal Blvd, Denver, CO 80204 Contact: 720-944-3120 (A-L) or 720-944-3200 (M-Z)
- 5) Participate in a Mental Health Appointment or continue treatment with your current provider:  
Location: Contact:
- 6) Participate in a Domestic Violence Evaluation:  
Location Contact:
- 7) You are to have NO Contact with:
- 8) You are not to allow to have contact with your children
- 9) Complete and return the ICWA Assessment Form to your caseworker within 5 days
- 10) Complete and return the Relative Affidavit to your caseworker within 5 days to assist in locating relatives who may be able to assist in supervising visits or providing a temporary home for your child.
- 11)

**PLACEMENT/VISITATION WITH YOUR CHILD:**

Your child(ren) is/are in the custody of the Department of Human Services and placed .

Your first visit with your child(ren) will be on supervised by .  
Your future visitation schedule will be time(s) per week for hour(s) supervised by

Your child(ren) is/are placed with you and supervised by the Department of Human Services. This means that you are to allow the Caseworker and/or the GAL to see your children for announced and unannounced visits and you are not to leave the children in the care of someone else without preapproval by the Caseworker.

YOUR NEXT COURT DATE/TIME: @ in \_\_\_\_\_

JUDICIAL OFFICER SIGNATURE: \_\_\_\_\_ DATE \_\_\_\_\_

**STIPULATION PROCESS AND ORDER****Dependency and Neglect Stipulation Orders**

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In an effort to reduce the wait time for families and parties in D&N actions scheduled for review or permanency planning hearings, the Court has developed a stipulation order. The order is intended to serve as an agreement between the parties and the Court to vacate the scheduled hearing, adopt findings as presented in court reports and obtain a future hearing date, without the necessity of a full-blown hearing.

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**Procedures for Parties**

1. Stipulation orders will be available in each courtroom for the use of the parties.
2. It is the responsibility of the parties to fully complete the stipulation order; including,
  - a. All related case information
    - i. Names
    - ii. Case numbers
    - iii. Appropriate Division number
  - b. The name of the case worker and date the report was filed
  - c. Appropriate recommendations
    - i. Whether adopted as recommended; or,
    - ii. Any amendments to the report
  - d. The appropriate dates
    - i. Current hearing date
    - ii. Future hearing date as provided by the clerk and agreed upon by the parties
  - e. Signature of all parties
3. Once completed, present the stipulation order to the Court
  - a. All parties should be present; there is a potential that the stipulation may not be accepted.
  - b. The Court will read the stipulation into the record, including the next date.
  - c. The Court will retain the white copy, the City Attorney receives the yellow copy, and anyone else available may have the pink copy.
  - d. A minute order will also be entered.

**\*\*Please note\*\***

The stipulation may NOT be used for adjudications, termination hearings, permanency planning hearings, or any other case hearing in which an advisement must be given.

JUVENILE COURT , CITY AND COUNTY OF DENVER STATE OF COLORADO 1437 Bannock Street Denver, Colorado 80202	<b>COURT USE ONLY</b> <hr/> Case No. Div. 5
<b>People of the State of Colorado, In the Interest of:</b>  <div style="text-align: right;">Child(ren),</div> And Concerning:  <div style="text-align: right;">Respondents.</div>	

**STIPULATION ORDER**

The undersigned have reviewed the report of caseworker \_\_\_\_\_, dated \_\_\_\_\_, and enter into the following Stipulation:

The recommendations contained in the report are acceptable and shall be made an order of the Court. The Court continues to monitor the visitation plan, if any, for the parents and children.

The recommendations contained in the report shall be amended as follows and shall be made an order of the Court: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

The Court continues to monitor the visitation plan, if any, for the parents and children.

The undersigned agree to waive any appearance before the Court on \_\_\_\_\_, and request that this Stipulation be approved and made an Order of the Court. The undersigned further agree that this Stipulation and Order of the Court shall be reviewed at the next hearing set on \_\_\_\_\_ at \_\_\_\_\_, for \_\_\_\_\_.

Respondent	Assistant City Attorney
Respondent	Caseworker
Counsel for Respondent parent	Guardian ad litem
Counsel for Respondent parent	

The Court has reviewed the Court report and the Stipulation of the parties, and adopts the Stipulation. SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Juvenile Court Judge

**YOUTH ATTENDANCE AT PERM PLAN HEARINGS**



*Denver Juvenile Court*

1437 BANNOCK ST. ROOM 157  
DENVER, CO 80202  
**720-865-8285**

MEMO TO: Guardians ad Litem  
FROM: Presiding Judge Karen Ashby  
DATE: November 1, 2007  
RE: Youth Attendance at Permanency Planning Hearings

Earlier this year you may recall I sent to our Guardians ad Litem and Respondent Parent Counsel a memorandum outlining procedures for implementing a pilot program in my division to encourage attendance by youth ages 12 and over. (A copy is attached in case some of you did not receive a copy). To date we have continued to conduct PP hearings in which the older children have been involved in discussion of the progress of their cases. It has been a rewarding process for all, and most especially for the youth. To that end, we have decided to expand the pilot to all three divisions, beginning immediately.

One of the parameters in the pilot program was that the Guardian ad Litem will meet with their client prior to the PP hearing in order to prepare the child and also assess whether the youth's participation is in his or her best interests. One of our Model Court subcommittees has developed a letter that will be sent to foster parents so that they, too, are aware of our efforts to bring older youth to court. This letter will be included in the notices that are routinely sent out by our office to all parties, including foster families.

Because our notices for permanency planning hearings are sent out at least 6 months in advance, and because we do not wish to wait for 6 months to inform the foster parents about this program, I am asking your assistance in notifying the foster parents of children you represent.

Attached is a photocopy of the letter with my signature that will be inserted in the envelope with the PP notice. I would ask that in preparation for your permanency planning hearings that occur between now and April 1, 2008 in which you represent foster children, that you also share this letter with the foster parents. Besides this paper copy, we can also make available for you an electronic copy of my letter so that you can distribute it to those families who receive email.

I expect this method of you forwarding my letter to foster parents will be for a period of 6 months. Thereafter, the foster family will get their letter through the permanency planning notice.

Thank you very much for your help. If you have any questions please contact either Barbara Bosley or Gretchen Russo.

Sincerely,

Karen M. Ashby

**FOSTER PARENT LETTER**



*Denver Juvenile Court*

1437 BANNOCK ST. ROOM 157  
DENVER, CO 80202  
**720-865-8285**

Dear Foster Parent:

I am writing to let you know about a very special program in Denver Juvenile Court, as well as ask you for your assistance.

It has come to the attention of many of us who work with dependency & neglect cases that sometimes adolescents may not have the chance to appear in court during hearings that affect what will be happening to them. Through a very successful Model Court program in which our court has been involved, we have developed a method to get our youth to court.

We have identified specific permanency planning hearings scheduled in our courtrooms and involving youth who are over 12 years old and older. Working with the guardians ad litem as well as the respondent parent attorneys, we are asking that those youth be contacted directly about coming to court for their permanency planning hearings.

We expect that as the foster parent for one of these adolescents, you will be contacted through the regular notice for a permanency planning hearing that is sent out, and would ask that you help arrange for the adolescent in your home to come to court. We would also encourage you to attend the hearing if at all possible. We appreciate your insights and thoughts on the permanent plan for this youth.

Thank you for all of your help, and please contact your child's guardian ad litem or caseworker if you have any questions.

Sincerely,

Judge Karen Ashby  
Presiding Judge

**YOUTH SURVEY PROCESS**





## Denver Juvenile Court

1437 BANNOCK ST. ROOM 157  
DENVER, CO 80202  
720-865-8285

MEMO TO: Guardians ad Litem, DDHS Caseworkers, Respondent Parent Counsel  
FROM: Presiding Judge Karen Ashby, Judge Brett Woods, & Judge Donna Schmalberger  
DATE: December 15, 2008  
RE: Implementation of Youth Survey

In an effort to continue Denver Juvenile Court's work in involving participation of older youth in their dependency & neglect and delinquency cases, our Model Court Permanency subcommittee has prepared a Youth Survey (attached) designed to get feedback from the youth. **We will begin distributing the survey on Monday, December 29<sup>th</sup>**. We believe we have had positive results from having youth present at their hearings, and now it is essential to continue that progress by having the youth share their perspectives. Therefore, we are asking all Guardians ad litem, caseworkers, and attorneys to encourage youth to fill out these Youth Surveys.

Last November our Court implemented a program to encourage attendance by youth at their permanency planning hearings. The expectation was that GALs would meet with the youth prior to hearings and also assess whether the youth's participation was in his or her best interests.

Later, in April, we distributed a series of questionnaires to be used to assist GALs in acquiring information about the youth in D&N cases. Our goal was to help the GAL identify as much information as possible about that youth that could be used to design the best possible permanent goal for that youth.

Now with the Youth Survey, we will be able to acquire even more information about how we are all working to improve outcomes for youth. Please take a minute to review the questions. These Surveys will be given to each youth to fill out following Permanency Hearings in both Dependency & Neglect and Delinquency cases. While the Surveys will be available in all courtrooms (Divisions 1, 2, 5, and 281 and 283), as GAL or Caseworker, you should identify where the forms are located and see that the youth in your case gets a copy.

Once the Survey is filled out, the youth may deposit it in a locked box available in each courtroom. There is also a locked box located right inside the Clerk's Office (Room 157). In addition, if you have any questions or comments about youth attending court, please feel free to drop them into the suggestion box or share them with Barbara Bosley or Gretchen Russo. Your comments are always welcome.

Hopefully, the feedback we receive will help us determine how knowledgeable the youth are with their cases and how prepared they are to come to court and make improvements or adjustments as necessary. Thank you for your participation.

**YOUTH SURVEY**

**DENVER JUVENILE COURT  
YOUTH SURVEY**

1. Age \_\_\_\_\_ Grade \_\_\_\_\_

2. Did you feel prepared for your court hearing? Yes \_\_\_\_\_ No \_\_\_\_\_

Yes \_\_\_\_\_ If yes, how were you prepared?

\_\_\_\_\_

No \_\_\_\_\_ If no, Why did you feel you weren't prepared?

\_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

3. Did anyone talk with you before coming to court? Yes \_\_\_\_\_ No \_\_\_\_\_

4. If yes, who? \_\_\_\_\_

5. Did your GAL help you? Yes \_\_\_\_\_ No \_\_\_\_\_

6. Did you like coming to court? Yes \_\_\_\_\_ No \_\_\_\_\_

Why or why not?

\_\_\_\_\_

7. Do you feel that you are included in the decisions made about your case?

Yes \_\_\_\_\_ No \_\_\_\_\_

Why or why not? \_\_\_\_\_

\_\_\_\_\_

Thank you for filling out this survey.

Name of Caseworker \_\_\_\_\_ Division or Courtroom \_\_\_\_\_

Name of GAL \_\_\_\_\_ Date: \_\_\_\_\_