

# WHAT ABOUT COURT PARTICIPATION?

## WHAT FOSTER PARENTS SHOULD KNOW

*Judges can only make sound decisions in the child's best interest if they have a full understanding of the child's well-being, progress, and needs. As the full-time caregiver, you are a critical source of firsthand information. You have the right and the responsibility to advocate for the children in your care.*

### NOTICE AND RIGHT TO BE HEARD

- Federal and state law requires that foster parents receive notice of court hearings and have the right to be heard.
- The right to be heard means that you may speak in court when permitted by the judge.
- You may also provide a written report to the court.

### PROCESS OF COURT PARTICIPATION

- The court is required to review the case of each child in your care at least every six months. Hearings in Philadelphia are usually scheduled every three months.
- Prior to a hearing, you should receive a letter from Philadelphia DHS notifying you of the date and location of the hearing.
- The notice will include a reporting form you can complete with updates on the child's well-being. You can mail this form to the courthouse using the stamped addressed envelope included with the DHS notice, or you may choose to bring it to the court to present in person at the court hearing.
- Case managers should also notify you of upcoming hearings during their home visits.

### FOSTER PARENT STATUS

- You are a witness in the case. You are not a "party" to the case. You can testify when permitted by the judge.
- You do not have the right to be represented by an attorney.

- You do not have the right to be present in the courtroom for the entire hearing. You may be asked to wait outside the courtroom until it is your turn to speak.
- You do not have a right to receive a copy of the court order (called a "DRO," or Dependency Review Order), although the court must inform you of any orders that can affect you, such as changes to the child's and family's visitation schedule.

### TIPS FOR PRESENTING TO THE COURT

- Arrive on time, but be prepared to wait. Cases are not always called at the scheduled time for a variety of reasons.
- Be prepared. Your statements to the court should be brief since hearings can sometimes be held for a short period of time.
- Bring documentation, if available, to substantiate any information you intend to present (such as report cards to document school concerns).
- If you don't understand an attorney or judge's question, ask the judge to clarify it before you answer.
- Do not guess and never lie. It's okay to let the court know that you do not know the answer to a question.
- Speak in a way that is comfortable to you, but be respectful. Address the judge as "Judge" or "Your Honor." Listen and remain attentive.
- If an attorney makes an objection while you are testifying, listen and wait for the judge to tell you to continue.

- Dress to the best of your ability. Avoid wearing denim or baseball caps. Also, keep in mind that chewing gum while in the courtroom is discouraged.

## TIPS FOR SUBMITTING A REPORT

- Ask the child’s case manager what the court will be deciding at the hearing. Provide information that will assist the court in making those decisions.
- Make sure that your writing is focused on the child. Provide facts, not opinions.
- Attach supporting documents (school and doctor reports, letters sent by parents, etc.) if appropriate.
- If possible, mail your report to the courthouse at least one week before the hearing to the address indicated in the notice or listed below.

## SUGGESTED TOPICS TO DISCUSS AT COURT

- **Physical health**—Recent or upcoming medical appointments, medical diagnoses, medications.
- **Emotional health**—Adjustment to your home, how the child expresses feelings and needs, any behavioral or mental health issues, treatment information if applicable.
- **Academics**—Performance in school, friendships and social relationships, attendance, special education information if applicable.
- **Family relationships**—Frequency and quality of visits or other contact with parents and siblings.
- **Activities**—Information on extracurricular activities or youth development programs.

## WHERE TO GO

Philadelphia Family Court is located at:  
**1501 Arch Street**  
**Philadelphia, PA 19102**

## ADDRESSING CONCERNS

If there are concerns regarding the child’s well-being, the judge will want to know what steps have been taken to address the concerns. Court is not the place to raise concerns for the first time. Be sure to communicate with the child’s case manager or your foster care agency any issues or concerns that you may have before the court hearing occurs.

## CONFIRMATION & CHECK-IN

Foster parents should contact the child’s case manager to confirm the date and time of the court hearing. If you need the name of the case manager, please call 215-683-4DHS (4347).

Foster parents must “check in” with courthouse staff outside the courtroom when they arrive for a hearing. You will need to provide the child’s name and identify yourself as the foster parent.

If you are not sure where to go when you arrive at Family Court, visit the Information Desk on the 11<sup>th</sup> floor. Staff will ask you for the child’s name and date of birth to look up the hearing location.

## *Did you know?*

THE DHS COMMISSIONER’S ACTION RESPONSE OFFICE (CARO)

CARO responds to individuals who have questions, concerns, or complaints about any services provided by DHS or its contracted providers, including Community Umbrella Agencies.

215-683-6000 | [dhscaro@phila.gov](mailto:dhscaro@phila.gov)

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 partnership with:*

