



INDIANA DEPARTMENT OF CHILD SERVICES
CHILD WELFARE POLICY

Chapter 11: Older Youth Services

Section 23: Providing Notice and Attending Collaborative Care (CC) Court Hearings

Effective Date: May 1, 2023

Version: 2

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POLICY OVERVIEW

Written notices of Collaborative Care (CC) hearings are sent in a manner consistent with the Indiana Trial Rules to permit CC cases to proceed in a timely manner and to ensure youth and all parties of the case are notified of hearing dates. It is important for youth to attend court proceedings, as it allows for the court to have the opportunity to engage and interact with the youth. Attending court also provides youth the opportunity to present evidence to the court and have the youth’s voice heard.

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PROCEDURE

The Indiana Department of Child Services (DCS) will provide notice of CC hearings. DCS will also attend and participate in CC hearings for all youth in CC based on the following schedule:

1. Every six (6) months, based upon the effective date of the Voluntary Collaborative Care Agreement Between Older Youth and the Department of Child Services form (see policy 11.22 Voluntary Collaborative Care [CC] Agreement); or
2. More frequently, if ordered by the court.

Note: DCS or the youth may request that the court hold a CC hearing at any time.

The DCS Staff Attorney or Older Youth Case Manager (OYCM) will ensure that proper, written notice of all CC hearings is provided by mail or personal service at least 10 calendar days before the date of the hearing, to the following:

1. The youth;
2. The resource parent (including Host Home Adults) with whom the youth is living, if applicable;
3. Any person or agency identified in the Voluntary Collaborative Care Agreement Between Older Youth and the Department of Child Services form (see policy 11.22 Voluntary Collaborative Care [CC] Agreement) as a provider of services to the youth (e.g., any caseworker responsible for visitation with the youth);
4. The youth’s Court Appointed Special Advocate (CASA) or Guardian ad Litem (GAL) (if applicable); and
5. Any person or entity providing Older Youth Services (OYS) to the youth.

Note: DCS policy 6.04 Providing Notice must be followed for all youth in CC.

The OYCM will:

1. Provide a Progress Report to the court with the following information attached:
 - a. The youth's current Case Plan/Prevention Plan,
 - b. The youth's current Transition Plan for Successful Adulthood,
 - c. Notes from any Child and Family Team (CFT) Meetings held since the previous court hearing, and
 - d. Any other pertinent information related to the youth (e.g., the Youth Report to the Court, if applicable).
2. Ensure a copy of the Progress Report and all attachments are printed and given (via mail or personal service) to required parties, including filing all documents with the court, at least 10 calendar days prior to the court hearing;
3. Educate the youth regarding:
 - a. Appropriate court etiquette and attire,
 - b. The purpose of the court hearing and possible outcomes,
 - c. The youth's rights and responsibilities regarding the hearing,
 - d. Other court participants,
 - e. The role of all court participants, and
 - f. Questions the judge may ask.
4. Ensure the youth attends the hearing;

Note: The youth's attendance at the hearing to open the CC case is mandatory. There may be situations that occur, and a youth is not able to attend a Periodic Review hearing. These situations should be infrequent, as the youth should take an active and participative role in the court case. If the youth is unable to attend a hearing, the Youth Report to the Court should be completed and submitted to the court.

5. Debrief with the youth after the court hearing; and
6. Ensure court hearing information is entered in the case management system, including when the notice of CC hearings was provided.

Note: The OYCM should contact the DCS Staff Attorney if another court, including a court in a criminal proceeding, orders a youth to participate in a service, placement, or program.

The OYCM Supervisor will review and approve the Progress Report and all attachments.

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RELEVANT INFORMATION

Definitions

N/A

Forms and Tools

- [Bench Card Authentic Youth Engagement: A Guide for Courts](#)
- Case Plan/Prevention Plan (SF 2956)- available in the case management system
- [Notice of Periodic Case Review \(SF 48997\)](#)- available in the case management system
- [Transition Plan for Successful Adulthood \(SF 55166\)](#)
- [Voluntary Collaborative Care Agreement Between Older Youth and the Department of Child Services \(SF 55159\)](#)

- [Youth Report to the Court](#)

Related Policies

- [6.04 Providing Notice](#)
- [11.22 Voluntary Collaborative Care \(CC\) Agreement](#)

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LEGAL REFERENCES

- [IC 31-28-5.8: Collaborative Care](#)
- [IC 31-28-5.8-4: "Older youth"](#)
- [IC 31-28-5.8-7: Periodic reviews by court; notice; participation; orders](#)

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PRACTICE GUIDANCE- DCS POLICY 11.23

Practice Guidance is designed to assist DCS staff with thoughtful and practical direction on how to effectively integrate tools and social work practice into daily case management in an effort to achieve positive family and child outcomes. Practice Guidance is separate from Policy.

Youth Participation in Court Hearings

Encouraging youth to participate in court hearings is a positive way to practice youth-adult partnering. The Bench Card Authentic Youth Engagement: A Guide for Courts may be helpful when discussing participation in court with youth. The youth's full involvement in court hearings and giving the youth the responsibility for making meaningful decisions regarding the youth's CC case shows full support of the youth as a partner.

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