

A Handbook for Educators

Navigating Wyoming's Juvenile Court System

First Edition – April 2015



**CHILDREN'S
JUSTICE PROJECT**

A Project of the Wyoming Supreme Court



A Handbook For Educators

First Edition (April 2015)

Thanks to all who assisted with writing, reviewing, and guiding the creation of this handbook. **Copyright © 2015 Wyoming Supreme Court Children's Justice Project. All rights reserved.**

The Children's Justice Project provided funds for this publication in accordance with the Omnibus Budget Reconciliation Act of 1993, § 13712 of Subchapter C Part 1, Court Improvement Program Grants, from the U.S. Department of Health and Human Services, Administration for Children and Families. The points of view expressed in this handbook are those of the authors, and do not necessarily represent the official position or policies of the Wyoming Supreme Court and/or the Children's Justice Project. This publication should not be relied upon as a substitute for independent legal research to original sources of authority, the advice of a lawyer, or both.

For more information about the Wyoming Children's Justice Project (CJP) or to download additional copies visit our webpage at <https://www.courts.state.wy.us/childrens-justice-project/>.

A Handbook for Educators

Navigating Wyoming's Juvenile Court System

Table of Contents

WHAT IS JUVENILE COURT?	3
HOW A CHILD ENTERS THE JUVENILE COURT SYSTEM	3
HOW A CASE BEGINS	3
SHELTER CARE OR DETENTION HEARING TIMING	5
STAKEHOLDERS IN JUVENILE COURT AND THEIR ROLES	5
JUVENILE COURT JUDGE	5
COUNTY OR DISTRICT PROSECUTOR	5
PARENT ATTORNEYS	6
GUARDIAN AD LITEM (GAL)	6
PRIVATE DEFENSE COUNSEL AND PUBLIC DEFENDERS FOR CHILDREN IN JUVENILE COURT	6
DEPARTMENT OF FAMILY SERVICES (DFS) CASEWORKER	6
COURT APPOINTED SPECIAL ADVOCATES (CASAs)	7
MULTIDISCIPLINARY TEAM (MDT) COORDINATOR	7
FOSTER AND RELATIVE CAREGIVERS (FRC)	7
SCHOOLS	8
INDIVIDUALIZED EDUCATION PROGRAM TEAMS	8
EDUCATORS INVOLVEMENT IN JUVENILE COURT	8
MANDATORY REPORTING	8
MULTIDISCIPLINARY TEAMS (MDTs)	8
SPEAKING AT THE MDT & WHAT INFORMATION TO GIVE THE MDT	9

CONFIDENTIALITY	10
REQUESTS FOR INFORMATION & FAMILY EDUCATION RIGHTS AND PRIVACY ACT (FERPA)	10
SPECIAL EDUCATION (IEPS AND 504s)	11
COURT HEARINGS	12
TESTIFYING IN COURT	14
<u>SCHOOL STABILITY</u>	<u>15</u>
DFS POLICY ON EDUCATIONAL STABILITY	16
<u>TRANSITION PLANNING AND POSTSECONDARY EDUCATION</u>	<u>17</u>
<u>FOR FOSTER YOUTH</u>	<u>17</u>
<u>OTHER CJP RESOURCES AVAILABLE</u>	<u>19</u>

What is Juvenile Court?

Juvenile court is a special court in Wyoming that oversees the cases of abused and neglected children who need protection, children in need of supervision (CHINS), and delinquent children. The juvenile courts are run by the district court judges in the county, as there are not separate court systems for juveniles in Wyoming. The court is closed, meaning it is **confidential** and all information about the cases in juvenile court are not to be shared.

How a Child Enters the Juvenile Court System

There are three types of proceedings in Wyoming's juvenile court and three corresponding ways that a child can enter the juvenile court system. The three types of proceedings are abuse or neglect, CHINS, and delinquency.

An abuse or neglect case is brought against a parent or caretaker if there is reason to believe that a child has been abused or neglected. A CHINS case is brought against a child who has run away from home, disobeyed his or her parents, or is generally unruly. CHINS cases can also be brought against a child who has committed a status offense, which is defined as a crime committed by a child that would not be a crime if an adult committed the act. Examples of a status offense include drinking alcohol or smoking. A delinquency case is brought against a child who has committed a delinquent act or violated a municipal ordinance.

How a Case Begins

In order for a child to be brought under the jurisdiction of the juvenile court, one of three things must occur.

First, a child may be taken into **temporary protective custody**. Temporary protective custody in an abuse or neglect case may be taken only by a doctor, nurse practitioner, physician's assistant, or law enforcement officer. Contrary to popular belief, Department of Family Services (DFS) cannot take protective custody of a child. Protective custody may only be taken by the four groups of individuals listed above if there are reasonable grounds to believe a child is in imminent danger. After custody is taken, the person taking custody has to immediately notify DFS. DFS will accept custody of the child for placement, usually

in foster or relative care. Then the county or district attorney will decide whether to file a petition to bring the case into juvenile court. If the county or district attorney decides against filing the petition, the child returns to the home and a juvenile court case does not begin.

A child can also be taken into protective custody in a CHINS case, but only by law enforcement officers. Law enforcement officers can take protective custody of a child if one or more of the following is true: the circumstances would allow law enforcement to arrest an adult without a warrant; there are reasonable grounds to believe the child has violated an order of the juvenile court; the child's conduct or behavior seriously endangers himself or the person or property of others and immediate custody appears necessary; the child is in imminent danger; or there are reasonable grounds to believe the child has run away from his parents or guardian.

The second way a child enters juvenile court is through a **petition being filed** by a county or district attorney in an abuse or neglect case or CHINS case without taking temporary protective custody. These are cases where the child or situation does not meet the threshold for protective custody (usually no imminent danger presents itself) but abuse, neglect, or CHINS concerns still exist with the child or family. In these cases it is in the discretion of the county or district attorney to file the case. Both types of cases can be filed without protective custody being taken and with the child remaining in the home. In these cases foster care is not used at the outset of the proceeding.

The final way in which a child comes under the jurisdiction of the juvenile court is through a **delinquency proceeding**, which is filed by a petition. In Wyoming, when a child commits a delinquent act he or she may receive a ticket from law enforcement or may be taken into custody. The ticket then may go to the county or district attorney, called the "single point of entry". Using statutory guidelines, the single point of entry decides which court the child should go before based on the ticket, child's age, and other objective factors. A child who is cited in Wyoming can be in circuit, municipal, district, or juvenile court, based on the child's age, type of offense, and the criteria set by the county or district attorney. It is in the discretion of the county or district attorney to choose which citations to petition into juvenile court.

The delinquent child may be left in the home when the case is filed and may also be held in detention or custody if the circumstances would allow law enforcement to arrest an adult without a warrant, if there are reasonable grounds to believe the child has violated an order of the juvenile court, or if the child's conduct or behavior seriously endangers himself or the person or property of others and immediate custody appears necessary. Unlike abuse or neglect proceedings, a delinquent child may only be taken into detention or custody by law enforcement.

Shelter Care or Detention Hearing Timing

Within **forty-eight hours** (not including weekends or holidays) of a child being placed into protective custody or detention, a shelter care or detention hearing must be held by the Juvenile Court. It will determine whether the child is in imminent danger and whether they should be placed in the legal or physical custody of DFS or returned to their parents or caretakers.

Stakeholders in Juvenile Court and Their Roles

Within the Juvenile Court System there are many stakeholders and entities involved and working on the case. It can become confusing navigating the system and stakeholders, as well as understanding each player's role.

Juvenile Court Judge

The judge in a juvenile court case in Wyoming is also the judge in district court, and hears most civil cases involving claims of \$50,000 or more and criminal matters. Although the judge and the courtroom are the same as district court, which is open and not confidential, juvenile court matters are confidential and closed. The judge just wears two hats.

County or District Prosecutor

The abuse or neglect, CHINS or delinquency case is filed in juvenile court by the prosecutor. In Casper and Cheyenne they are called district attorneys. In the other cities, towns, and counties throughout Wyoming, they are called county attorneys. Despite the different titles, their jobs remain the same. These prosecutors represent the state's interest of protecting children and the community, and do not represent any other stakeholders in the Juvenile Court System such as the child or DFS.

Parent Attorneys

A parent can hire an attorney to represent them in juvenile court and if they cannot afford to do so, the court can appoint them an attorney that is paid for by the county. These attorneys are private attorneys in firms that agree to do this work; they are not public defenders or employed by the state. If there is a conflict between parents involved in the case, the court can appoint a different parent attorney for each parent, which is why you may see two or more parent attorneys on one case.

Guardian Ad Litem (GAL)

A GAL is an attorney appointed to represent a child in juvenile court. A GAL's job is to tell the judge what the child wants and what is in the child's best interests. This is called the hybrid model of GAL representation. To do this, the GAL will meet with the child to understand the child's needs. The GAL will look at the family's case history and also do his or her own investigation to help decide what is best for the child. This includes talking to school teachers and personnel, and potentially reviewing school records.

Private Defense Counsel and Public Defenders for Children in Juvenile Court

A child or parent can hire private defense counsel for a child in a CHINS or delinquency proceeding. If the child or parent cannot afford to hire an attorney, the child has a right to an attorney and the court shall appoint a public defender to represent them at no cost. The child is allowed to waive this right to a public defender.

Department of Family Services (DFS) Caseworker

A caseworker is a specially trained person who works for DFS. The DFS caseworker may be responsible for investigating issues that are reported about a family situation, may be responsible for getting services to help a family resolve its issues, or may be responsible for supervising a child on probation. The caseworker will check on children in foster care and the other family members to see how everyone is doing. The caseworker will write a report to the court about the progress the child and

family are making before each hearing. You will likely see or hear from the caseworker, as they are required to ensure that the child's educational needs are met. **DFS caseworker may be called a caseworker or probation officer.**

Court Appointed Special Advocates (CASAs)

Court Appointed Special Advocates (CASAs) are un-paid volunteers who are specially trained to advocate for a child in an abuse or neglect case. Not all children have a CASA. If a judge appoints a CASA for the child, the CASA, much like the GAL, may talk to the child's teacher or school personnel. The CASA will also attend case meetings and court hearings, and write a report, which goes directly to the Judge. Not all counties have CASA programs. Currently, there are CASA programs in Park, Sheridan, Johnson, Campbell, Natrona, and Laramie counties.

Multidisciplinary Team (MDT) Coordinator

In all three types of cases in juvenile court, the court will appoint a multidisciplinary team (MDT) to meet and make recommendations to the judge about the case, services needed, family's progress, child's health and safety, etc.

These team meetings will be discussed in more detail below. However, it is important to note that in some counties, these meetings are run by an MDT coordinator, who is not a party to the case, but is responsible for facilitating the meeting, taking notes, and writing a summary report that is submitted to the court. School personnel are always appointed to MDTs and your attendance at team meetings is valuable to the child, parents, judge, and team.

Foster and Relative Caregivers (FRC)

The FRC has temporary custody of the child while the child is placed outside of the home and is integral to ensuring that all the stakeholders know how the child is doing in the foster or relative home. **As an educator, you may work with the FRC, the biological parent, the DFS caseworker, or all regarding school issues for the child.**

Schools

The child's teacher or other representative from the school will be involved in MDT meetings or other team meetings. **Your attendance at team meetings is valuable to the child, parents, judge, and team.** It helps the team ensure the child's success in school.

Individualized Education Program Teams

An Individualized Education Program (IEP) team may be formed for a child if the child has a disability that affects their ability to succeed at school. This team will meet to discuss the child's disability, create an individualized plan that addresses the child's specific needs, and monitor the child's success. **These team meetings are in addition to the MDTs.**

Educators Involvement in Juvenile Court

Mandatory Reporting

In Wyoming, all residents are mandatory reporters of child abuse and neglect. **This means that if an educator knows, believes, or suspects that a child has been abused or neglected, or observes the child being abused or neglected, they must immediately report it to DFS or law enforcement.** However, if a person knowingly and intentionally makes a false report of child abuse and neglect, or if a person encourages another person to make a false report, they can be charged with a misdemeanor crime.

Multidisciplinary Teams (MDTs)

After the case begins in juvenile court, the judge will order that a MDT be appointed for the family and meet to discuss case goals and plans. If the child is not in the home,

Pursuant to Wyoming Statutes § 14-6-227, 14-3-427, 14-6-427, the representative from the child's school district is to be a person who knows and works with the child; and if the child receives special education, is a member of the child's individualized education plan team.

the MDT must meet at least every three months. A report will be prepared from this meeting and will be presented to the court prior to the next court hearing.

By law, the team must include the parents, **someone from the child's school district**, DFS, the child's counselor or mental health professional, the district or county attorney, the child's attorney or GAL, the CASA (if an abuse or neglect case) and the foster parent. The team can also include the child, a relative, or other professionals involved with the family, as ordered by the court. As the school representative, you should try and attend these meetings so all team members have an update on the child's progress and school status. It will also help you to stay apprised of the case and the child's current living arrangements.

The purpose of the MDT is for key people to meet and discuss recommendations for the court as to what should be done to address the current issues in the family's life. The family's overall family service plan or the child's probation will be discussed. The probation or case plan should be updated and adjusted throughout the life of the case to adjust for current needs and issues. If any new terms and conditions are needed they will be recommended to the court. Topics can also include whether the child should be removed from their parents' home or returned to the home if previously removed.

Sometimes it happens that not everyone will agree as to what should be done in a case. Agreement by all MDT members is not necessary. The purpose is to allow everyone to discuss recommendations and report them to the court. In those circumstances where everyone does not agree, the summary report compiled by the MDT meeting facilitator will reflect who agrees with which recommendation and who does not. If you are not able to attend the MDT, but wish to make a recommendation, there may be a process in your county to provide your recommendations in writing before the meeting. You can discuss this with the ongoing caseworker assigned to the child's case.

Speaking at the MDT & What Information to Give the MDT

The following list includes issues the MDT may consider useful in making recommendations at a MDT meeting:

- Safety concerns, if any
- Child's current health and well-being (as observed by educators)
- Child's educational status
- Behaviors of child at school
- Biological parents' interactions and involvement with the child's education

Typically, the MDT coordinator (a third party facilitator or the DFS caseworker) will allow each team member a few minutes to give an update to the group. Either during the update or after everyone's updates, each member will make a recommendation or agree or disagree with the DFS worker's recommendation. If someone asks for your recommendation before you are ready to state it, maybe before everyone has given an update, feel free to ask to give your recommendation at the end of the meeting. It's important to speak up and speak slowly so the person facilitating the meeting can hear you and take accurate notes.

Confidentiality

It is imperative for educators to understand the importance of confidentiality within the juvenile court. Court rules, state statutes, and federal statutes set forth confidentiality laws that protect children and families in juvenile court. Just the fact that a child or family is involved in a proceeding in juvenile court is confidential. Further, the statute makes it a misdemeanor crime to not keep records from reports and investigations of juvenile court cases confidential. The educator must understand that this confidentiality does not apply to sharing information about the child's current safety, educational status, etc. with the DFS caseworker and GAL. If the educator has questions about confidentiality, they should ask the DFS caseworker or another team member before releasing or sharing any information.

Requests for Information & Family Education Rights and Privacy Act (FERPA)

The caseworker, GAL, and CASA will likely ask you for information about the child. This sharing of information regarding the student (information not based on educational records) is safe to share with the GAL, as long as they have provided you with a copy of their appointment order. Educational information is important for the juvenile court team's advocacy and knowledge of the client's educational needs and future.

If someone requests records (as opposed to information) from you, you should instruct them to obtain consent to these records from the parent. Federal law prohibits access to educational records. FERPA protects these records unless the parent (not the child welfare agency) consents to the release. There are many exceptions that allow the release of educational records, and four of

A "caseworker or other representative of a State or local child welfare agency," who is assigned to the case and responsible for the child's protection, can be provided with a student's education records without parental consent or a court order. 20 U.S.C. § 1232g(b)(1)(L) (2013).

these exceptions may apply in your cases. If they are unable to obtain consent of the parent, disclosure is authorized to:

- Other school officials, including teachers, with legitimate educational interests in the child.
- Appropriate persons in connection with an emergency when the information is needed to protect the health and safety of the student or other persons.
- Officials of other schools when a student is transferring schools.
- Appropriate persons when the release of information is needed to comply with a judicial order or subpoena. There are protections against re-disclosure that you should remain cognizant of if you gain access to these records.

Special Education (IEPs and 504s)

The Individuals with Disabilities Education Act (IDEA) is relevant to your work and to juvenile court teams because many of the children in juvenile court may have a disability that impairs their ability to benefit from a free and appropriate education. This includes being able to attend school, get from classroom to classroom, use technology, and more. The IDEA requires an evaluation if a child is suspected of having a disability to determine whether the child has a disability that requires special services for the child to learn effectively. If special services are necessary, a team is developed to draft a written Individualized Education Plan (IEP) detailing the child's academic and functioning levels, the services necessary, the child's goals, etc.

The child will need a parent or guardian to advocate for the child's needs during the IEP process. The school district must appoint a surrogate parent in every case where the child is in the custody of the state, and the person can't be someone paid to advocate for the child. This person may be, but need not be, the child's foster parent. The biological parent and the guardian can both consent to the evaluation or for services to be provided.

The IDEA sets forth specific restrictions on the IEP process, including provisions for dispute resolution and enforcement, and complaint procedures. If you have any questions about either of these laws, please contact your local school district's special education director or Section 504 Coordinator.

Court Hearings

If a child is taken into temporary protective custody, or put in detention, the court must have a **shelter care hearing or detention hearing** within 48 hours. It is called a shelter care hearing if it is an abuse or neglect case. It may be called a shelter hearing or detention hearing if the case is a CHINS case or delinquency case. At this first hearing, the judge will decide if DFS has made “reasonable efforts” to keep the family together and return the child to their home. The judge will also decide if the child needs to be kept in state custody.

If the case is an abuse or neglect case, sometimes the child will stay in foster care while the parents work with DFS to solve their issues. This is most often when a foster or relative caregiver will have a child in their home, while DFS provides reasonable efforts to the biological parent(s) and the parent works to get the child back home. If the case is a CHINS or delinquency case, sometimes the child will stay in foster care or in out-of-home placement while DFS works with the child to solve their issues. For children in delinquency cases (and some CHINS) this may mean a stay in a juvenile detention center.

A hearing called an **initial hearing** can also be held a few weeks after a shelter care or detention hearing. Or, if a shelter care or detention hearing was not held, an initial hearing will be held as the first hearing in the court proceeding. At this hearing, the judge will inform the parents and the child what their rights are and will read them the allegations in the petition. A parent or child may admit or deny the allegations in the petition. This agreement is also called an **admission**. If the parent or child admits, the next hearing will be the dispositional hearing, not an adjudication hearing.

The next step is a hearing so the judge can decide whether the child needs to be protected (in an abuse or neglect case) or if the child has been breaking rules or laws (in a CHINS or delinquency case). This is called an **adjudication hearing**. This trial can be before the judge or a jury. At an adjudication hearing, the judge or jury hears from the parents or child, DFS, and other people (witnesses). The witnesses tell their side of the story. It is the judge or jury's job to listen to everyone and decide what to do.

If the case is not dismissed after the adjudication hearing, there will be another hearing called a **dispositional hearing**. At this hearing, the judge decides if the child should stay living where he or she is, or live somewhere else, or if in the case of a CHINS or delinquency proceeding, then what sanctions are appropriate for the child. Sometimes the adjudication hearing and the dispositional hearing happen at the same time.

When the judge makes a decision to take legal or physical custody of the child, the child and family will work with DFS and the judge will continue to watch over the case. In all three types of cases, everyone comes to court again for a **review hearing**, which takes place every six months from the removal date. Sometimes the judge will have a review hearing sooner to find out what is happening with the case.

DFS has about one year to work with the parents and the child before the next big decision must be made. After a year from the removal date, there will be a **permanency hearing**. At this hearing the judge again listens to the parents, child, DFS, and others talk about what is being done to fix the family issues that brought this family under the jurisdiction of the juvenile court in the first place. The decision as to what to do next is often very hard to make so the judge will require DFS to suggest a plan. This plan often comes from the multidisciplinary team (MDT) meetings.

The reason this permanency plan is addressed one year into the case is that federal law requires DFS to file a **termination of parental rights action** on a case where the child has been in out-of-home placement (most of the time foster care) for **fifteen of the most recent twenty-two months**. This is why you may hear stakeholders talk about a ticking clock, a year, or fifteen months. There are some exceptions to this rule, which may mean the case takes longer to get to permanency and resolution.

At the permanency hearing, the judge will decide how soon the child can go back home and how soon the juvenile court case can be closed, which will depend on how well the parents and child are doing with solving their issues. If the judge decides it is not safe for the child to go back home, the judge will decide on another permanency plan for the child. This could be a guardianship with relatives or friends, a guardianship or adoption with a foster family, or being adopted by another family.

Depending on the judge's decision, other court cases may be needed. If the judge decides a child should be adopted, there must be a court hearing first to decide whether the parents will no longer be able to make decisions about the child. This is called a termination of parental rights (TPR) case. If the judge does end the parents' rights, it is DFS's job to make sure that the child finds an adoptive family.

There are many steps to a child being adopted; however, the final step is the adoption case, where a judge decides that the child will be placed with the adoptive family. DFS may give the prospective adoptive family a stipend to pay for an attorney to finalize the adoption. If the child is age 14 or older, his or her consent or agreement to the adoption is required. If an adoption is approved, the judge and DFS are no longer involved with the child and the child's new adoptive family.

Sometimes, adoption is not the best plan for a child. In that case, the judge may decide that a child should live with a relative, a family friend, or the child's foster family until the child is at least 18 years old. This would require another case called a

guardianship. If the judge agrees to a guardianship, the guardian will make all the decisions for the child even though the rights of the child's birth parents have not ended. It is up to the guardian to determine if the child can continue to have contact with the birth parents and other family members after the guardianship is approved. Contact may include sharing letters, pictures, or visits.

When the child cannot go back home, is over age 16, and adoption or guardianship are not options, the child might stay in foster care until the age of 21. In this case, the judge may agree to a case plan, called Another Planned Permanent Living Arrangement (APPLA). In an APPLA, the child remains in DFS custody and continues to go to school and get services and skills training to help learn what they need to know about being an adult (called independent living skills). If this plan is approved, the judge continues to review the case and monitor the well-being of the child at the review hearings and can keep the child in custody up to age twenty-one under APPLA if the child is in need of more transitional or independent living services.

By law, a child becomes an adult when he or she reaches the age of 18. Review hearings continue throughout the time a child is in foster care, and services can be given until a child is age 21, if necessary. After a child is safely returned to their biological parents' home, is in an adoptive home, is in a guardian's home, or has turned 18, the juvenile court case is closed and no more court hearings are held.

Testifying in Court

If you are called as a witness, one of the attorneys involved in the case will generally notify you that he or she plans on asking you to testify in court. In some cases, you may receive a subpoena (a legal document the court issues telling you when and where to appear). In court, after taking an oath to tell the truth, a witness sits in the witness stand and answers questions from one or more attorneys about what he or she saw or (sometimes) heard.

Here are some tips for testifying in court:

- Tell the truth.
- Dress professionally (as you might for a job interview).
- Be organized and prepared.
- Be calm and sincere, especially if you are challenged or criticized.
- Listen carefully to each question, pause, think, and then respond directly to the question.
- Wait until the question is completed before you answer.

- When an objection is made about a question, wait to speak until the judge decides whether or not you should answer the question.
- If you do not understand a question, ask the lawyer to rephrase it.
- Answer each question completely.
- Be sure of the answer you are giving.
- Offer to explain your answer, if necessary.
- Use language you are comfortable using.
- Listen carefully when the other people in the courtroom are talking.
- Be polite and always show the highest respect for every person in the courtroom, especially the judge.

School Stability

The principles that guide juvenile court work emphasize the importance of providing children with a feeling of permanency and stability. At school, children are able to engage in a routine, have access to trusted, familiar adults, and maintain relationships with peers. The classroom environment allows children to feel stable when other components of their lives may not be. Children may find a sense of familiarity, stability, and connection through their education.

Because of this, protecting education as a child's source of stability is important. For youth in foster care, maintaining this source of stability is especially challenging. Poor coordination between child welfare and school personnel can result in delays in enrollment when moving to a new school, ultimately resulting in time not spent in the classroom. When youth in foster care experience difficulties transferring their records, they are often required to repeat courses or grade levels. Moving to a new school may also cause anxiety. All of these complications can result in these youth falling behind their peers and dropping out of school.

As an educator, you will be called upon to advocate for the educational needs of your clients. The Legal Center for Foster Care and Education of the American Bar Association has published the Blueprint for Change: Education Successes for Children in Foster Care, outlining a series of eight goals

The school district is required to provide transportation to the home school, even if the foster or relative home is in a different school's boundary.

that, when met, will ensure that a child receives positive education outcomes. The goals are listed below:

Goal 1: Youth are entitled to remain in their same school if it is in their best interest.

Goal 2: Youth have seamless transitions between schools.

Goal 3: Young children enter school ready to learn.

Goal 4: Youth have the support to fully participate in school.

Goal 5: Youth have support to prevent school dropout, truancy, and disciplinary actions.

Goal 6: Youth are involved and empowered.

Goal 7: Youth have education advocates and decision makers.

Goal 8: Youth have support to enter into and complete postsecondary education.

DFS Policy on Educational Stability

Wyoming DFS also has a policy regarding educational stability. It is in Chapter 2 – Placement, Policy 2.4 Preserving Connection. It states:

“Efforts shall be made to keep child(ren)/youth in the school or origin, when the child(ren)/youth is initially placed and each time there is a change in placement, unless it is not in his/her best interest and documented in the case file. If remaining in the same school is not in the best interest of the child(ren)/youth, the DFS Caseworker shall coordinate with the school(s) to ensure the child(ren)/youth is immediately enrolled and school records are transferred in a timely basis.”

Transition Planning and Postsecondary Education for Foster Youth

For youth in foster care, success in school can create a positive experience that is different from the life of abuse, neglect, and instability they may have experienced. Youth in foster care who have unmet educational needs are at a higher risk for homelessness, poverty, public assistance, being victims of crime, and juvenile or adult court involvement. Increasing the support available to youth who are going to age out of the system will improve the likelihood that they will be successful adults.

The John H. Chafee Foster Care Independence Act (Chafee FCIA) was enacted to help those youths who are likely to remain in foster care until the age of 18 reach self-sufficiency. This assistance can extend to the age of 21, and it includes a range of Independent Living Services (ILS) to ease the transition from foster care to independent living. These include:

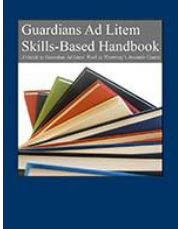
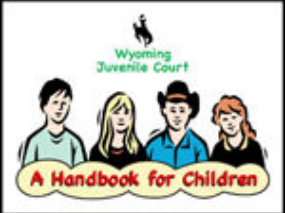

- Assistance in obtaining a high school diploma
- Vocational training
- Job placement services
- Substance abuse prevention
- Preventive health activities (smoking avoidance, nutrition education, pregnancy prevention)
- Preparation to enter postsecondary training and education institutions
- Personal and emotional support.

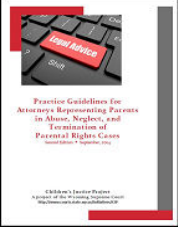
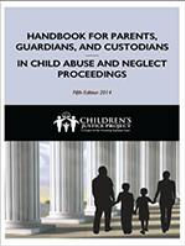
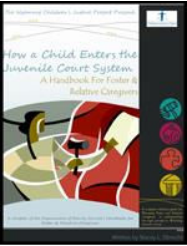
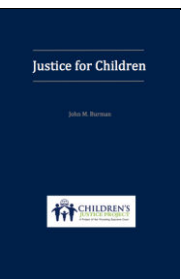
The Chafee FCIA also includes Chafee Educational and Training Vouchers (ETV), available sometimes until age 23. Under this program, \$5,000 per youth per year is available to help pay for qualifying college or vocational education expenses. Chafee ETV is available to youth who are eligible for services under the state Chafee program, in care for 6 months after age 14, or were adopted from foster care after their 16th birthday. Chafee ETVs do not count towards the youth's financial eligibility status for federal or federally-funded assistance. You should assure your transition aged clients have access to ILS to assist them in applying for these financial assistance programs.

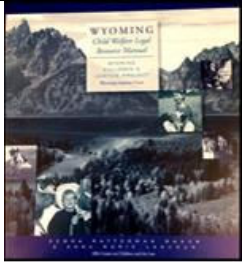
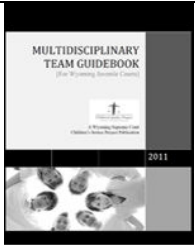

The Fostering Connections Act requires transition plans for older youth in foster care. The plan is intended to be directed by the child and must include specific options for education. For children in foster care receiving special education services, additional transition plans (in the form of IEPs) must describe measurable postsecondary goals. They must be based on age-appropriate transition assessments related to future training or employment and ILS. The plan must also describe the transition services required to help the child reach those goals. You should ensure DFS and the client's ILS provider is creating this individualized transition plan for your client before he or she ages out.

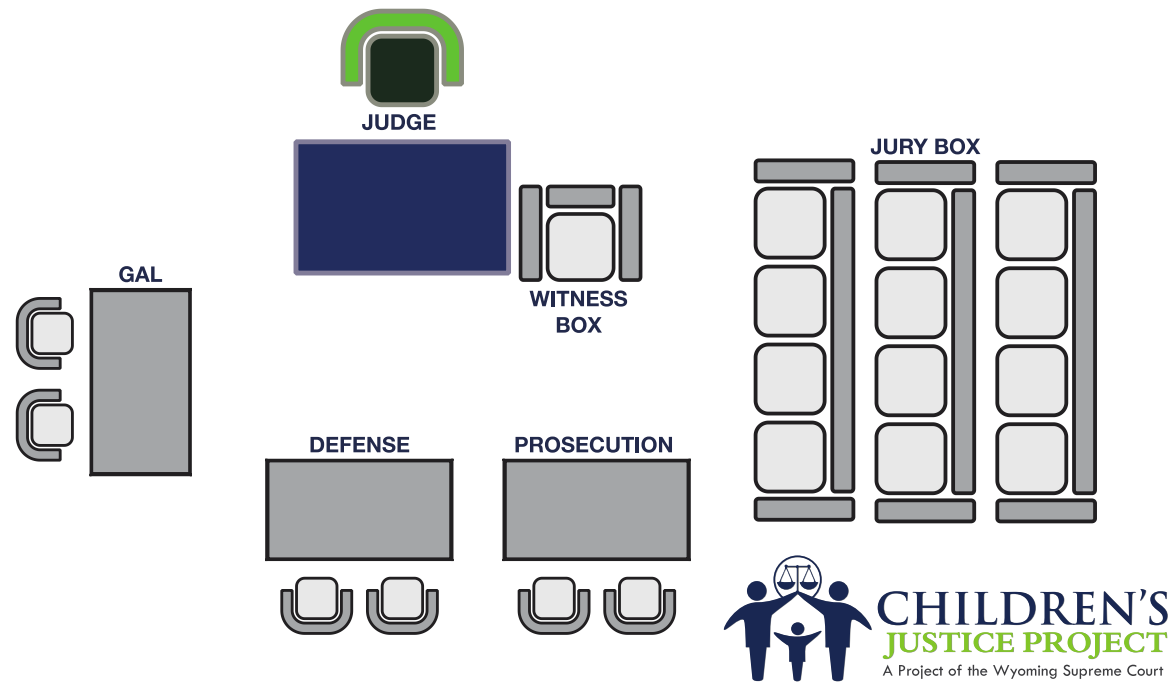
Other CJP Resources Available

Here is a listing of all other publications from CJP and how an educator might use them:

Title	Quick Look	Description	Potential Uses for Educators
Guardians Ad Litem Skills-Based Handbook		This handbook outlines the steps and activities required for an attorney GAL in Wyoming.	An understanding of the role and responsibilities of a GAL in juvenile court.
A Handbook for Children		This handbook walks children through the judicial system and foster care.	An educator could give this to children ages 7-12, or similar maturity or education level.
Bear Goes to Court		This handbook helps prepare children for court.	An educator could give this to children ages 4-11, or similar maturity or education level.

Guidelines for Parent Attorneys		This handbook assists the attorney representing parents in juvenile court.	An understanding of the role and responsibility of attorneys representing parents in juvenile court.
Handbook for Parents		This handbook is a guide for parents whose children are involved in child abuse and neglect court proceedings.	An educator could give this to parents who are involved in juvenile court, or could read this to understand how the parents move through the system.
How a Child Enters the System		This handbook assists foster and relative caregivers with understanding the judicial system and child protective services.	An understanding of the role and responsibility of foster and relative caregivers in juvenile court.
Justice for Children		This handbook is a good overview of Wyoming's juvenile court process for GALs.	Limited use for educators.

Legal Resource Manual		This handbook is a legal guide to assist attorneys and judges with the juvenile court process.	Limited use for educators.
MDT Handbook		This handbook is a guide for the multi-disciplinary team.	A guidebook for educators and other stakeholders regarding MDTs.
Your Rights		This is handbook geared towards children and youth to help them understand Wyoming's juvenile court system.	An educator could hand out this to children ages 13-21, or similar maturity or education level.



This handbook is brought to you by the Wyoming Supreme Court,
Children's Justice Project.

Additional publications are available at
<http://www.courts.state.wy.us/CJP>.

