

Hints to Involving Kids in the Court

Infancy

Their presence at occasional court proceedings helps the child become “known” to the court personnel.

If the child cannot be present, there should be someone there who “knows” the child fully and has spent enough time with the child to bring him/her to life for the court. This designee should be allowed to speak in the proceedings.

Repeated visits over time help the people to remember the child is growing fast and changing rapidly.

The child needs to become a person with a name.

If child cannot be present, a picture of the child should be shared so it is clear who is being discussed.

Plan any appearances during low stress times i.e. not during child’s usual nap time; make sure they have eaten; make sure their diaper is clean; allow them access to someone they trust and feel comfortable with.

Choose quiet court times, i.e. no chaos, high emotional intensity, or exposure to conflict.

Learn a basic child’s finger game, i.e. Open them Shut them or Where is thumbkin? to create opportunities to engage when needed.

Judges and attorneys must have an understanding of early childhood development

Toddlerhood

All of above

Can meet judge and other personnel involved in the system.

Can identify key people in their life, through in person contacts as well as pictures (developmentally dependent).

Have simple toys available, i.e. blocks or crayons/paper, this allows for something to mutually focus on, helping child to regulate and feel more comfortable.

Learn a typical child’s game or song, i.e. All around the mulberry bush..., this provides a medium to engage with

Learn something about the child that they like and comment, i.e. I heard you liked cars...

Preschool

All of above

Have simple toys available, i.e. blocks, preschool sized legos, crayons/paper, markers, bingo daubers (great for making dots)—repetitive focused activity helps to manage anxiety

Can tell the court personnel stories of good things they have done, as well as what scares them (should be done one on one with child accompanied by someone they see as trusted)

May be able to draw their thoughts, although not always decipherable without child interpreting for you.

Has knowledge to begin to know role of a judge and others, have beginning understanding that there are authority figures that have roles in our lives.

Give simple explanations, follow child’s lead, answer in no more than 5 words per answer, give adequate time for processing and response.

Learn a preschool game or song, something that can be interacted with. An alternative is to engage child by “remembering” most of a song yourself, then asking child for help “remembering” the rest; this gives child a sense of control and knowledge—preschoolers like to feel smart and helpful

If child goes into courtroom, allow exploration—checking things out, looking behind tables and benches, sit in chairs, etc.

Learn about something the child has accomplished lately and comment, i.e. I heard you can write your name all by yourself

Early School Age

All of above

Encourage role playing, i.e. sit at tables, call court to order, etc. Imagination is very alive for this age.

Encourage questions, answer with basic answers, and then ask “do you have another question?”

Comment on how great the questions are, this encourages and it provides a sense of control and competence

Provide age appropriate description of the court process (E.g. coloring book with judge, lawyer, and all parties included; video with cartoon characters describing a day in court)

May be in court for general issues and proceedings, however avoid any conflict, chaos, or hostility

If child is asked to talk with any caregiver present, focus on what is their favorite thing they may have done with that person; find out ahead of time what child may have done and explore that topic, i.e. “I heard you and your dad played went to a baseball game last night...how was it?”

Court appearances should be brief; no more than 10-15 minutes—be aware of antsy behavior such as squirming, shuffling, laying down, fussing, etc.—follow this child’s lead; you see these things it is time to go before child has to escalate to get your attention.

Ask about school, friends, activities

School Age

All of above

Should be very able to meet with judge or attorneys, may want support person of their choosing with them.

Provide them with tasks such as making a list of what they want the judge to know, what their favorite things go do include, etc. –again provides control opportunity, lists can provide something tangible, and having a paper to share can decrease anxiety. Pictures of things can also be shared if writing skills are not well developed.

Allow the child to give the writings and/or pictures to the court; make sure they know their input was received and noted by the court

Reassure child he/she is in no way responsible for any of the court proceedings or events.

Participation in court proceedings should be encouraged, keep brief—no more than 30-60 minutes; focus on proceedings that do not include conflict, non-compliance issues, etc.

Ask about accomplishments, ideas about things, what happens in their school, etc.

Depending on individual circumstances the child may want to be involved in all proceedings. The child should be encouraged to articulate why they want to be there and how they feel they might contribute. This provides structure and forethought and will make the hearing more meaningful for the court and the child.

Pre-Adolescent

All of the above

Provide child with a task, i.e. taking notes during proceedings they are present for, etc.—helps to focus attention and dissipate anxiety

Should be able to meet and talk with judges/lawyers/others; a support person may still be requested

May need clear limits on how to behave in a court room or during certain events

Opinions should be encouraged, however limits may need to be set as arguments for the sake of arguing can be a highlight of this age group

Provide an “escape” plan, if child gets upset is it okay for them to leave or ask to go to the bathroom, giving them escape plans and other coping mechanisms provides a sense of control
Encourage them to participate in even the smallest way, again this increases a sense of control
Share documents that are appropriate for child to read, this increases awareness and sense of control
Ask about their peers, teachers, etc.

Adolescent

All of the above

Autonomy is critical at this age, provide any opportunity to participate and share

Depending on individual circumstances the child may want to be involved in all proceedings; however, the child should be able to articulate why they want to be there and how they feel they might contribute—this provides some structure and forethought, hopefully avoiding the child who is wanting to “get back at” a parent

Respect child’s feelings, even if they want to participate, the emotional intensity might become too much and they may opt out at the last minute; having thoughts and ideas written out may allow them to have that shared or read to the court even if they don’t want to be there—or they may want to be there but have someone else read their words

Adolescents are often very peer oriented, it may be appropriate for a “best friend” to accompany them depending on the events taking place (or at least waiting in the hall)—sometimes having someone to “show” things to can help increase feelings of competency and control.

Negotiation can be used fairly well with many adolescents—their ability to think about meeting someone halfway allows them a sense of control and a sense of accomplishment

As often as possible, child should be communicated with directly

Ask about their future plans, interests, etc.