

Participants in a Child Welfare Case

The Child

- The child needs the court to order an appropriate intervention and treatment plan so he/she can live in a safe, stable home without ongoing need for intervention from the child protection agency.
- The areas the child needs addressed include: safety/protection, placement of the child is out of the home, family contact, belonging to a family, financial support, a support system, education, mental health and physical health.
- The child needs the court intervention to be focused and timely.
- The child needs services provided that will meet his/her needs.

Parents Named in the Petition

- They have been forced into this court action because the child protection agency asked the court to intervene to protect the child from maltreatment and/or to have his/her basic needs met.
- They need to comply with the child protection agency's intervention plan and correct the conditions that led to the child's removal, thereby effectively protecting their child and/or enabling their child to return home.
- They need to follow the orders of the court or risk having their parental rights terminated.
- Bring with them a love for the child, family ties, history of parenting, abilities, resources and skills as parents, interactions with the child and each other, mental, emotional and physical health or illness, support system, housing and income and their own issues/problems.

CASA Volunteer

What does the CASA Volunteer do in the case?

- Independently gathers information about the child's case.
- Determines the child's needs.
- Monitors the progress of the biological parents.
- Explores family and community resources to meet the child's needs.
- Advocates for the child's best interests to be met.
- Is the voice for the child's expressed wishes.

What does the CASA volunteer bring to the case?

- An interest in improving the life of the child throughout the court process.
- Time, energy, and focus.
- Longevity.
- An unbiased point of view and an independent perspective.

Child Protection Agency Caseworker (CPS Worker)

What does the CPS Worker do in the case?

- Completes a risk assessment process and, based on risk and/or substantiated allegations of abuse and/or neglect, determine the need for court intervention.
- Develop an intervention plan with the family.
- Ask the court to order the agency's intervention and treatment plan be followed by the parents/caretakers and other service providers so that the need for continuous agency intervention is not required to ensure the child receives proper care and protection.
- Manages the case and arranges for court-ordered services to be provided to the child and the child's family.

What does the CPS worker bring to the case?

- Training in analyzing risk, assessing service needs and providing guidance, and directing services for families to provide them with the knowledge, skills and resources necessary for change.
- Links to other service providers so that the family can access resources outside the child protective services system.

Attorney for the Child

What does the child's attorney do in the case?

- Files legal documents relevant to the child's case.
- Protects the legal rights of the child in court.

What does the attorney for the child bring to the case?

- Legal expertise, facilitation and negotiation skills and courtroom experience.

Attorney for the Parent/Caretaker

What does the parent/caretaker's attorney do in the case?

- Represents the wishes of the parent/caretaker he/she represents.
- Protects the legal rights of the parent/caretaker in court.
- Advises the parent/caretaker on legal matters.
- Files legal documents relevant to the case.

What does the attorney for the parent/caretaker bring to the case?

- Legal expertise, facilitation and negotiation skills and courtroom experience.

Attorney for the State (Assistant District Attorney)

What does the ADA do in the case?

- Represents the position of the state and the child protection agency in court.
- Protects the state and the child protection agency from liability.
- Advises the state and child protection agency regarding its responsibilities as outlined in the law.
- Files legal documents relevant to the case.

What does the ADA bring to the case?

- Legal expertise, facilitation and negotiation skills and courtroom experience.

Indian Child's Tribe Social Worker

What does the tribal social worker do in the case?

- Ensures that the parents, the child and the tribe have all the rights they are afforded pursuant to ICWA.
- Brings culturally relevant service options and dispositional recommendations to the attention of the court.
- Protects the tribe's interest in the child and ensures the preservation of the child's ties to the tribe and its resources.
- Where appropriate, offers or requires that the tribe take jurisdiction of the matter.
- Files legal documents when necessary.

What does the tribal social worker bring to the case?

- A very special perspective on preservation of the child's ties to the tribe.
- Knowledge of relevant cultural practices and culturally relevant services that can be considered as potential resources for the child.

Judge

What does the judge do in the case?

- Determines if there is a continued safety issue for the child that necessitates continued out-of-home placement if the child has been removed from the home.
- Represents the child's best interest and/or wishes and protects the child's legal rights in court.
- Represents the "best interest of the child," as defined by the Indian Child Welfare Act (ICWA), to the court.
- Decides if the child is abused or neglected, and if so, orders services that will address the needs of the child.
- Orders appropriate reviews.
- Hears testimony, motions, etc., regarding the case.
- Approves the permanent plan for the child.
- Orders termination of parental rights when appropriate.
- Settles disputed adoption cases.
- Closes the court case when there is no longer a need for court intervention or the permanent plan has been achieved.