



Child Welfare Proceedings: What To Expect in Court

This brochure is designed as a companion to the video, which can be viewed on the website of the Office of the Prosecutor at www.pascuayaqui-nsn.gov

This is the third video in our series focusing on the formal child welfare proceedings. The first video provided an overview of a child abuse and neglect proceeding. The second video looked specifically at the process for permanent guardianship. This video is designed to help you prepare for court and to help you understand what will be expected of you in the courtroom.

When a case first begins, you will usually receive written notice telling you that a hearing has been scheduled and the date and time of the hearing. After the first hearing, the court will schedule the next hearing while everyone is in the courtroom and will tell everyone before they leave what date and time they are expected to be back in court. Once you are told the date and time of a hearing, it is important that keep track of the schedule and be sure you show up on time for the hearing.

Before the Hearing:

Before you go to court, you should think about what you want to tell the judge and what you can show the judge to prove you are telling the truth. For example, if you need to prove you have a job, you may need to bring in a copy of your pay check.

If you are represented by an attorney make sure to bring any items your attorney told you to bring.

Be sure to give yourself plenty of time to find any papers, documents, or other such materials that the judge may want to see during the hearing. Don't wait until the last minute to locate and gather these items. They may be difficult to find.

The time listed in the notice is the time the hearing is scheduled to start. You should plan to arrive 10-15 minutes early so you will have time to go through security and locate your courtroom. Be sure to leave enough time for traffic problems, buses running late, and other unexpected delays. If you are running late, contact the court at 520-879-6276. The court is part of the justice center and is on the right hand side of that building.

This brochure and the companion video are for informational purposes only. They are not intended to be nor should they be viewed as legal advice.

At the Courthouse:

Wear appropriate clothing, and be clean, neat tidy and well groomed. You will notice there is a sign posted near the door:

- No tank tops, halter tops, or t-shirts with obscene gestures or pictures
- no short shorts, spandex, bikini tops or flip flops
- no gang related clothing or caps/hats
- no excessively baggy clothing
- no communication with those in custody
- no concealed or deadly weapons
- no narcotics or dangerous drugs or drug paraphernalia

Upon entering the court building, you will go through security, including sending bags and purses through the x-ray machine and walking through a metal detector. Once you get through security, go to the clerk's office and sign in on the sign in sheet. That is when you will find out what courtroom you are in.

The Courtroom is closed to the general public during child welfare proceedings. Only parents, the tribe, and anyone else deemed necessary by the court is allowed to be present. If a friend or someone else unrelated to the case accompanied you to court, they will not be allowed in the courtroom. There is a seating area outside the courtrooms where they can wait for you.

In the Courtroom:

Before you walk into court room, turn off all cell phone, pagers, and other such electronic devices. Switching them to vibrate is not sufficient, as they still make a buzzing sound that is annoying and distracting. You must remove your hat and sunglasses before entering the courtroom. No food or drink is allowed in the courtroom, and that includes chewing gum and hard candy.

Parents, you will sit at the defense table and the prosecutor and social services will sit at the other table. Everyone should stand when the judge enters and remain standing until the judge tells you to take your seat.

Once the hearing begins, you should not talk unless it is your turn or someone asks you a direct question. Do not interrupt or speak over others while they are talking, especially the judge. Don't make a face, sigh, yell, swear, or react to what someone says, even if you think it is wrong or unfair. You'll get your chance to speak. Be truthful, honest, respectful, and courteous at all times.

Don't leave the courtroom until the judge says you are excused or until the judge has left. That is the signal that the hearing is over and the parties may leave.

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