

# In Foster Care?

If you are living in foster care, whether with a family or in a group setting, you have the right to attend the annual court hearing at which the judge makes decisions about your long-term living arrangements. It is called a permanency hearing. You may want to do this so you can talk directly to the judge about any needs, concerns, or issues you may be having.

To do this, first talk to your law guardian – that’s the lawyer who speaks up for you. If you don’t know who your law guardian is, ask your caseworker. Your law guardian can help you understand what happens in court. All attending court must follow the same rules. To watch videos, visit: <http://www.state.nj.us/defender/structure/olg/>

It is best to tell your law guardian, judge, or caseworker that you will be appearing in court. If you just show up, the hearing may have been postponed or the judge may not have scheduled time to talk to you.

You have the  
right to go to  
court and express  
your thoughts!



## WHEN TALKING TO THE JUDGE

- Always tell the truth.
- Try to stick to the FACTS that you know and that are important to the case.
- You can ask to speak to the judge privately.
- Speak slowly, clearly and talk into the microphone.
- Use words—not gestures—so what you say can be recorded. A nod or a shrug cannot be recorded.
- Take time to think about any questions the judge asks before you answer. It is OK to ask your law guardian or judge to explain the question.

### Also remember that:

- If you do not want to answer, say, “That’s hard for me to answer.” You may still have to answer, but take your time and answer as best you can.
- It’s OK to feel upset or nervous. If you need a break, ask the judge or law guardian for one.
- If you make a mistake, say, “I made a mistake.” Then, provide the correct information.
- If you want to provide additional information, politely ask the judge if you can discuss other issues.
- If one of the lawyers says, “Objection!” stop talking and wait until the judge tells you to continue.

## Tips to Help You Prepare for Court

- Confirm the date, time and location of the court hearing through your law guardian.
- Be on time or you may miss some of the hearing.
- Allow time for getting through security and metal detectors that are at every court house.
- Dress neatly. (No revealing clothing, hats, clothing with offensive language, etc.).
- There will probably be a lot of cases so be patient and respectful while the judge handles other cases.
- Bring something you can do quietly while you wait outside the courtroom. Books are allowed. And you can listen to music quietly with headphones.
- Turn off your cell phone and any other electronic devices **before entering** the courtroom.
- Don’t eat, drink or chew gum in the courtroom.
- The judge may ask you questions. If you have something specific to say, raise your hand and ask for time to speak. You might want to write down what you want to say before you go to court.
- Consider taking notes.

The judge listens to everyone, including you, the attorney for the Division of Child Protection and Permanency (used to be called DYFS), your lawyer and the lawyer for your parent(s). He/she will make a decision based on the information provided and what the law requires the judge to do.

It is possible that the judge may not do what you want. The judge should explain the reasons for the decision he/she makes. If the reasons are unclear, ask your law guardian or caseworker for more details after you leave the courtroom. When the judge makes a decision, you might feel happy and relieved, or sad, confused or frustrated. All of these things are normal. If you need a counselor to help you, ask your law guardian or caseworker to help you find one.