

COURT PROCESS OUTSTANDING QUESTIONS 10-26-07:

1. Did we succeed in giving standing to parents to participate, and be represented by counsel in all proceedings?

- 375 - petitioner,
- 485,497 – custody hearing,
- 508 evidence from parents, (Should we add counsel for parents here or 424 - scheduling of hearing and appointment of child's counsel)
- Petitioner (parent) can withdraw up to disposition hearing (39T 505)

2. Custody issues

- Should we refer to existing sections on 72 hr hearings instead of including similar language (475-489)?

3 Should there be just one hearing?

- We now have fact finding 39U and then disposition 39V(formerly adjudication) would it be better to have just one which may be recessed/continued as needed?
- Is 90 days too long for the informal inquiry before the opening of the hearing?
- After 1 year what happens? do we need a permanency hearing
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4 Is the standard of proof correct?

- Clear and convincing – to remove child (490, 501, 72 hr hearing 602 -disposition)
- Preponderance of evidence – at fact finding hearing, 39V – C&F require assistance (this is the disposition hearing) -541

5 Enforcement

- See orders 554-598
- Should we allow suspension of driver's license of kids
- Parents- fines, wage garnishment, contempt?
- Contempt for child?
- Anything we should do?

6 Have we given judges power to protect runaways?

7 Confidentiality of information received in Front End.

8 Youth court – would the court consider a pilot as proposed by Social Justice Academy/ Northeastern Law School?

