

Juvenile Protection

Teaching Guide

Students will:

- Understand the function of the people involved in the juvenile protection area
- Become familiar with the laws of abuse and neglect
- Learn about the legal rights and responsibilities of parents and children
- Understand the various ways in which the juvenile system attempts to take care of juveniles and their families.
- Learn where to go for help

Lesson Grid	Individual	Small Group	Large Group
Lesson 1; Juvenile Protection and Services			
• The Law			
• Activity: Ordering/Human Continuum	X	X	X
Lesson 2: Parenting			
• The Law			
• Questions	X	X	
• Activity: What do you think?	X	X	
• Activity: Your Turn	X	X	
Lesson 3: Paternity and Child Custody			
• The Law			
• Questions	X	X	
• Activity: Each One Teach One			X
• Activity: You Decide	X	X	
Lesson 4: Visitation and Child Support			
• The Law			
• Activity: Creating a Poster	X	X	X
• Activity: Mock Mediation		X	X
• Questions	X	X	
Lesson 5: Children in Foster Homes			
• The Law			
• Questions	X	X	
• Activity: Case Plan	X	X	
Lesson 6: Guardian Ad Litem and Child Intermediary			
• The Law			
• Questions	X	X	
• Activity: Your Turn	X	X	

Lesson Grid	Individuals	Small Group	Large Group
Lesson 7: Living Away from Home			
• The Law			
• Questions	X	X	
Lesson 8: Runaways			
• The Law			
• Questions	X	X	
• Activity: Role Play		X	X
• Activity: Matching	X	X	
Lesson 9: Child Abuse and Neglect			
• The Law			
• Questions	X	X	
• Activity: Matching	X	X	
• Activity: You Decide	X	X	
Lesson 10: Child Protection			
• The Law			
• Questions	X	X	
• Activity: Case Study One	X		
• Activity: Case Study Two	X		
Lesson 11: Domestic Abuse and Order for Protection			
• The Law			
• Questions	X	X	
• Activity: Case Study	X	X	
• Activity: Mock Trial			X
Lesson 12: Harassment and Restraining Order			
• The Law			
• Questions	X	X	
• Activity: You Decide	X	X	
• Activity: Ordering/Human Continuum	X	X	
• Activity: You Decide	X	X	
Lesson 13: Termination of Parental Rights			
• The Law			
• Activity: Case Study	X	X	
• Activity: Mock Appellate Argument		X	X
• Activity: Parents and Children Case Study		X	X

Teaching Tips

Outside Resource People

The topics in this unit present many issues that are beyond the study of the law and would be best presented with the assistance of the following resource people from the community: domestic abuse counselors, guardians ad litem, child intermediaries, social workers, juvenile court judges, and child protection workers. They can help by team-teaching the lessons, answering very specific questions, and presenting supporting teaching materials.

Lesson 1: Juvenile Protection and Services

This lesson presents the steps in juvenile protection and services cases. The procedure is a little different than the juvenile delinquency procedure. The important point to stress is that juveniles in this system are not offenders. There are cases when juveniles are offending in addition to being neglected and then both systems would be involved. The ordering activity can be answered using *The Law*. The steps in the ordering activity can also be used in a Human Continuum (see *Strategies in Overview*.)

Lesson 2: Parenting

Students are encouraged to think about the rights and responsibilities of parenting. The responsibility to keep children safe is emphasized. The “What do you think?” activity requires that the students understand the rights and responsibilities that they would have as teen parents toward their children and the rights and responsibilities that their parents have over them. “Your Turn” asks students to brainstorm conflicts between parents and children and then craft solutions that would be acceptable to both sides. “Your Turn” could also be used in mediation simulation.

Lesson 3: Paternity and Child Custody

Paternity is an important issue in the lives of teen parents and for that reason is the focus of this lesson. The questions and the activity are designed to help the students understand the content of *The Law*. The “Each One Teach One” is an effective way to teach the substance of the law in an interactive way. (See *Strategies*.)

Lesson 4: Visitation and Child Support

Young parents must often negotiate the problems associated with visitation rights. This lesson describes the rights, the people involved, and the way visitation can be changed, and issues of denial, moving, and grandparents. It also guides the student through the basics of child support law and support collection and discusses the role of the county in assisting in the effort to collect support. The activity “Creating a Poster” has the students creating a poster highlighting the most important points. The lesson concludes with a mock mediation concerning a visitation plan.

Lesson 5: Children in Foster Homes

Because of the importance of foster care in the lives of many young people, this lesson looks at foster care from the perspective of a child in foster care, including a description of the specific rights that youth in foster care have. The Case Plan activity asks the students to

analyze three cases looking at the reasons for the foster care, the attempts to correct the problems, the services that might help, and what needs to be done to return the child home.

Lesson 6: Guardian Ad Litem and Child Intermediary

This lesson tries to help students understand who the people in the juvenile justice system are and what they do. The “Your Turn” activity asks the students to create situations involving guardians ad litem and child intermediaries and to identify the responsibilities they have in each case

Lesson 7. Living Away from Home

Emancipation is a difficult area to understand because there is no specific statute that lists the requirements and the procedure to become emancipated. This lesson describes emancipation and how it occurs.

Lesson 8. Runaways

This lesson helps the student understand what will happen to her if she runs away. The “Matching” activity asks them to match the terms with the definitions. The “Role-Play” activity has the students giving advice to young people contemplating running away.

Lesson 9: Child Abuse and Neglect

This lesson defines types of abuse, neglect, and endangerment and discusses mandated reporters and what happens when a report is made. The “You Decide” activity asks them to decide if a situation is neglect, endangerment, physical abuse, sexual abuse, or an accident. Many of the cases are actual stories.

Lesson 10: Child Protection

Child Protection is explained, both the process and the people. It also suggests what a parent involved in a child protection matter should do. The case studies ask the students to play the role of child protection worker and respond to the case, making recommendations and developing the case plan. They are also asked to take the perspective of a mother whose child is now under the services of child protection.

Lesson 11: Domestic Abuse and Order for Protection

This lesson describes domestic abuse and what can be done when a person is the victim of abuse. The procedure for getting an Order for Protection is included. The “Case Study” activity asks the students to apply their new knowledge to a hypothetical case. As a culminating activity, the students will apply their knowledge and learn more about the court system in the Mock Trial, which involves domestic abuse between a girlfriend and boyfriend.

Lesson 12: Harassment and Restraining Orders

Harassment is defined and steps a victim of harassment should take are included in this lesson. In the “You Decide” activity the students decide if situations fit the definition of harassment. The “Ordering” activity asks students to order the steps in getting a restraining order. This activity can also be done as a Human Continuum (see Strategy section.) The final activity, another “You Decide” asks students to decide if cases would result in a restraining

order or an order for protection. This activity requires that the students have already completed Lesson 12.

Lesson 13: Termination of Parental Rights

The reasons the court will use in terminating a parent's rights are described and the steps are laid out. The "Case study" presents a story of a baby and her mom and asks the students to decide if parental rights should be terminated and identify alternative steps that might be taken. Additional cases are considered in the "Mock Appellate Argument" activity. To conclude the lesson, the students are engaged in a "Mock Legislative Hearing" concerning a bill making it easier to terminate parental rights.

The Activity "Parents and Children Case Study" can be done as an introductory activity to draw the students into the lessons or as a review lesson that lets them use what they have learned. It can be done individually, in small groups, or in large group. If done in a large group, the teacher can read the case study and ask questions as they go along. The students can answer on paper or aloud. Always try to use the law to answer the questions. This would probably best be used as a directed activity so that they can be guided to the law sections.

Case Study Questions Possible Answers

1. The school officials don't really have to do anything at this time. They could call the mother and recommend a meeting to discuss Janelle's school performance. If the mother comes in they could recommend other types of services, such as counseling, groups, etc. Based on the information provided there is no law requiring that they do anything at this time.
2. The school nurse suspects abuse so she is mandated to file a report with child protection. She should probably discuss the case with the girl's teacher and the school counselor. At that point they can include all of their previous concerns.
3. The school nurse is mandated to report.
4. The child protection worker must investigate the case and write up recommendations based upon the investigation.
5. The case may be investigated in the following ways: phone calls, interviews with people involved, home visits.
6. The child protection worker could talk with the teacher, counselor and school nurse. He or she should probably make a home visit and talk with the mother. Talking to the boyfriend may also be a consideration. If the child protection worker is not satisfied after talking with the mother, other members of the family could be interviewed as well as neighbors, etc.
7. The child protection worker could recommend that Bria move out or that Bria have Jerome move out. She could discuss an Order for Protection in addition to various other services available such as battered women's shelters and services, counseling, etc.

8. Jerome will probably be very angry and defensive. He could refuse to move. He might also start to abuse Bria again.
9. This answer could vary. It might be best for someone official to be with her when she tells him. It could help to have a family member or friend present, or she might want to tell him alone. There is always the possibility that he might become violent.
10. Bria must do the following in order to get an order for protection.
 - a. Go to the domestic abuse office at the courthouse
 - b. File a petition telling the court what she wants done, the name of the perpetrator and the name of the victim.
 - c. An affidavit must also be attached explaining the facts and circumstances that have caused Bria to want an OFP.
 - d. If Bria needs immediate protection from danger, she may ask for an Ex Parte Order. This is an order that is signed the same day it is applied for. It can be granted before the abuser knows about the action and it gives protection until there is a hearing.
 - e. A hearing will be set within 14 days after filing the petition. It must be held within 7 days if an Ex Parte Order has been issued.
 - f. Bria must show up for the hearing or the order will be dismissed. She will be asked to tell the judge what happened. She should bring any evidence that will support her case. The abuser will also tell the court his side of the story. He may have also filed a petition against Bria. If this is the case the judge may order a “Mutual Order for Protection.” This is an order against both of them.
 - g. If the judge finds that Bria has a need for an OFP, then it will be issued at the time of the hearing. The order will describe her rights, and how long the order will last.
11. These recommendations will vary. Some of the options would be:
 - a. Bria could be required to go to domestic abuse counseling.
 - b. The worker could require Bria to find group counseling for Janelle.
 - c. They could require that Bria become involved in a parenting group or class.
 - d. Bria could also be required to look into job opportunities and training so that she wouldn’t be dependent on men for financial support.
 - e. She might need to look into getting some financial assistance through the county.

Vocabulary

Affidavit: A statement written under oath.

Arraignment Hearing: Hearing at which the parents admit or deny the allegations in the CHIPS Petition.

Case Plan: The written plan that is made 30 days after a child is placed in a residential facility. This plan outlines the action to be taken and the final goal of the placement.

Child in Need of Protective Services (CHIPS) Petition; A request to the court to intervene with a child who needs protection.

Child Intermediary: A person appointed to the child by the court when a criminal charge of abuse is filed against the parent or caretaker of the child.

Child Protection: A social service agency run by the county. It investigates reports of abuse and neglect and provides services to families suspected of abuse and neglect.

Child Support: Child support is the money that a non-custodial parent must pay to help with the children's expenses.

Citation: Ticket

Complete Emancipation: When the minor moves out of the house and is able to provide for herself.

Contempt of Court: Refusing to obey a court order, can result in jail.

Dispositional Hearing: Hearing to determine what protection or services that are needed by the juvenile.

Domestic Abuse: Physical harm, bodily injury, assault, or criminal sexual conduct or the infliction of fear of imminent physical harm, bodily injury or assault between family and household members or persons in other significant relationships.

Domestic Violence: A crime that includes neglect, assault, criminal sexual conduct, murder/homicide.

Emancipation: When the parent or guardian surrenders the right to custody and control of the minor and the minor is allowed to live on her own and make decisions for herself.

Endangerment: When a parent guardian or caretaker intentionally causes or permits a child to be in a situation that is likely to harm the child's physical, mental, or emotional health or causes the child's death.

Ex Parte Order: This is an order that is signed the same day you apply.

Felony: A crime that has a penalty of more than one year in prison and a fine.

Guardian ad litem: A person appointed by the court to protect the interests of a minor who is without a parent or guardian, or when the minor's parents are incompetent or hostile toward the minor.

Harassment: Any act, word or gesture that is repeated and intrusive and is intended to have a harmful affect on the safety, security, or privacy of another person.

Incest: Sexual contact, specifically intercourse, between family members who are closer than first cousins.

Joint legal custody: Both parents have equal rights and responsibilities in making major decisions about their child.

Joint physical custody: The child lives part-time with one parent and part-time with the other.

Legal Custody: The right to make major decisions for the child, including education, health care, and religious training.

Mandated Reporters: Those professionals in the areas of health care, social services, mental health, child care and education who are required to report suspected cases of child abuse and neglect.

Misdemeanor: A crime that has a penalty of up to one year in jail and or a fine up to \$3,000 (for a gross misdemeanor) or up to 90 days and or a \$700 fine (misdemeanor).

Mutual Order for Protection: An order against both people in an abuse case.

Neglect: When a parent, legal guardian or caretaker willfully deprives a child of necessary food, clothing, shelter, health care, supervision and protection from an abuser. This deprivation harms or is likely to harm the child's physical, mental or emotional health.

Order for Protection (OFP): A court order to stop domestic abuse.

Partial Emancipation: When the minor is still living at home but is able to work and provide for her living expenses.

Paternity: The recognition that a man is the father of a child.

Permanency Hearing: Plan developed for the placement of a juvenile if a juvenile has not been returned home within 12 months of an out-of-home placement.

Perpetrator: Person who committed the crime.

Physical Abuse: Any physical, mental or threatened injury to a child by a person responsible for the child's care.

Physical custody: Living with the child and having the routine daily care and control of the child.

Recognition of Parentage: A process where both parents sign a statement that the man is the child's father.

Residential facility: Any group home, family foster home or other publicly supported out-of-home facility.

Restraining Order: Order by the court that prohibits certain conduct.

Runaway: A child is considered a runaway if he or she leaves home and is not married, is under 18 years old, and doesn't have permission from his or her parent or the court to be away from home.

Sexual Abuse: When a child is allowed to become a victim of criminal sexual conduct by the parent, guardian or caretaker. It also occurs when the child is engaged in prostitution or pornography.

Statute: Written law passed by the legislature.

Visitation Expeditor: A neutral person who listens to both sides of any disagreement about visitation and makes a decision.

Visitation: The time granted by the court for the noncustodial parent to visit his or her child.