



**INFORM
NAVIGATE
EMPOWER**

CHILDREN'S LAW CENTER OF MINNESOTA

Nuts & Bolts of Child Protection Representation
Deb Kovats & Katie Mathurin, Staff Attorneys

Overview of Child Protection Hearings

- Different Types of Hearings

- Emergency Protection Care (EPC)

- Admit/Deny (A/D)

- Pre-Trial (PTC)

- Trial

- Intermediate Disposition (IDH)

- Permanency Progress Review (PPR)



Emergency Protection Care Hearings

- Normally handled by CLC staff attorney.
- Hearings are by Zoom.
- CLC has minimal role. If CLC has been in contact with youth prior to hearing, we would have the opportunity to address any pressing issues with Court.
- Parent and parent attorney either submit to the emergency or request a contested hearing.

Admit/Deny Hearing

- Normally handled by CLC staff attorney.
- Purpose of the hearing is for the parent(s) to either admit that their child is a child who needs protection and services from the county.
- If the parent does not admit the CHIPS petition, the case is scheduled for a pre-trial hearing.
- CLC/youth does not admit/deny.
- CLC has opportunity to advocate for any needs/express wishes of the client such as:
 - Placement, personal belongings, visitation (parent/sibling)

Pre-Trial Conference

- Normally handled by CLC staff attorney.
- At the PTC, the parent will either admit to the CHIPS petition, admit to an amended petition/general admission or request a trial.
- If a trial is requested, dates will be discussed at the hearing.
- As always, there is an opportunity to articulate any issues/needs on behalf of CLC client.
- These hearings can move quickly and it may be necessary to raise hand in order to speak.

CHIPS Trial

- Normally handled by CLC staff attorney.
- In person at Ramsey County Juvenile and Family Justice Center.
- If case is assigned to CLC volunteer, CLC will partner with volunteer if desired.
- CLC will assist and/or handle all issues pertaining to child/client testimony.

Intermediate Disposition Hearing

- Hearings held every 90 days to review the progress of the parent on their case plan and the Agency's efforts toward reunification. Social worker and GAL will file reports in advance.
- Order of hearing:
 - All parties identified
 - Assistant County Attorney gives brief update
 - Social worker fills in any gaps
 - Guardian ad Litem offers updates
 - CLC provides any updates and requests on behalf of client
 - If present, youth can speak (or not)
 - Parent attorney/parent offers their updates and requests

Intermediate Disposition Hearing cont'd

- These are the most common hearings for CLC and CLC volunteers.
- This is our opportunity to advocate for our client. Common issues are:
 - Visitation with parent or sibling
 - Missing belongings or needed new items
 - School changes
 - Placements
 - Important documents
 - Extra curricular activities



Permanency Progress Review

- This hearing is traditionally held at the same time as the IDH as one combined hearing. However, the court makes different findings for the IDH and PPR hearings. The PPR findings are focused on whether it is in the best interest of the child(ren) for the Agency to continue to work toward reunification. The hearing is held at approximately 6 months out of home.
- CLC's role is the same at this hearing; to advocate for the express wishes of our client.

Overview of Permanency Hearings

- If the family has not been reunited, the Agency must file a permanency petition at the 11-month mark.
- Termination of Parental Rights or Transfer of Legal Custody are common petitions.
 - *petition filed will have a new file number.*
- These hearings may be a DIFFERENT schedule than the CHIPS IDH hearings.
- Admit/Deny hearings – service can be an issue
- Pre-Trial on permanency petition
- Trial
- Admission or consent to permanency plan
- Post Permanency Review

Transfer of Custody Hearing

- When the Agency has filed a Transfer of Custody (TOC) permanency petition, the case works through the traditional process of admit/deny, PTC and possibly a trial.
- If a parent admits/agrees to the TOC, the case is not quite over!
- The Court will **defer or stay** the transfer until the Agency has completed all the necessary paperwork, submitted the paperwork to the Department of Human Services (DHS) and it has been approved.
- The Court continues to hold review hearings every 90 days until DHS has approved the transfer of custody. Counsel for youth continue to attend the hearings every 90 days until the case is discharged from court jurisdiction.
- Once DHS has approved the transfer, the case will be administratively discharged.

Termination of Parental Rights Trial

- Day One hearings – usually just an hour, normally via Zoom.
- Purpose of Day One hearings is to sort out any pre-trial issues and agreements and stipulations regarding admissibility of evidence.
- Remainder of trial days are in person at the Ramsey County Juvenile and Family Justice Center.
- CLC will partner with volunteer on trial issues.
- CLC role at trial depends on client's position on termination.
- Child testimony is most common litigated trial issue.
 - If the child will be called as a witness, CLC files a motion for *in camera* testimony. This can take different forms depending on the Court's ruling.

Post Permanency Review Hearings

- If parental rights are terminated, the underlying CHIPS case closes. The permanency case remains open and is moved to the Friday post permanency calendar.
- The post permanency review remains on a 90-day review cycle.
- Hearings are held via Zoom and are on a “cattle-call” calendar in a large Zoom courtroom.
- Things to keep in mind in post permanency: desire (or not) to be adopted, feelings about placement, siblings and kin.
- Cases can languish in post permanency.

Hearing Basics in Ramsey County

- All hearings are conducted via Zoom EXCEPT :
Contested hearings – contested EPC and Trials
Adoptions

Most hearings are held in an individual zoom courtroom with only the parties that are relevant to the specific case. EXCEPT hearings on the Friday Post-Permanency calendar. Those hearings are in a large waiting room and case specific parties turn camera on when case is called.

Order of hearing is similar to CHIPS, except no parent/parent attorney present.

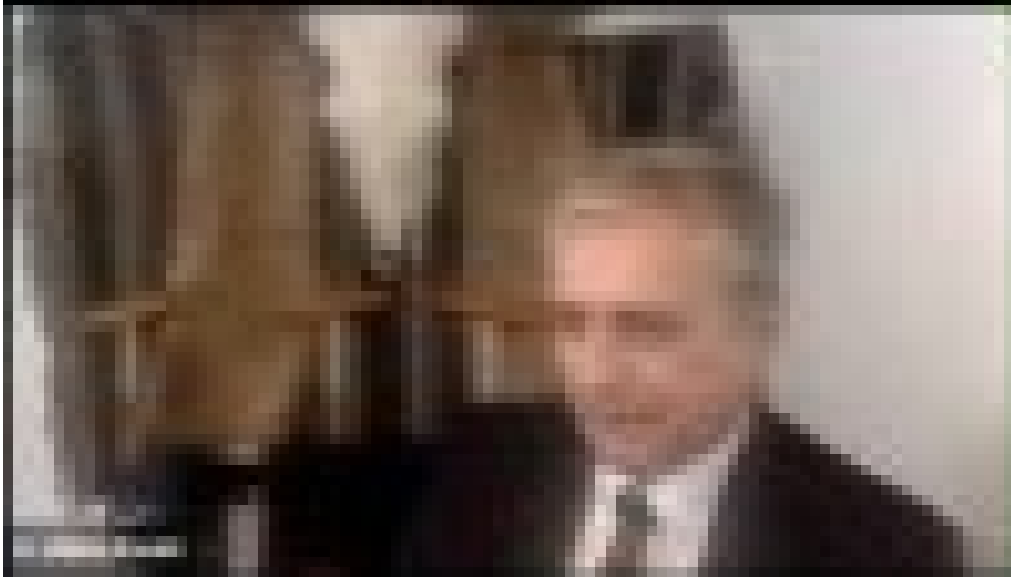
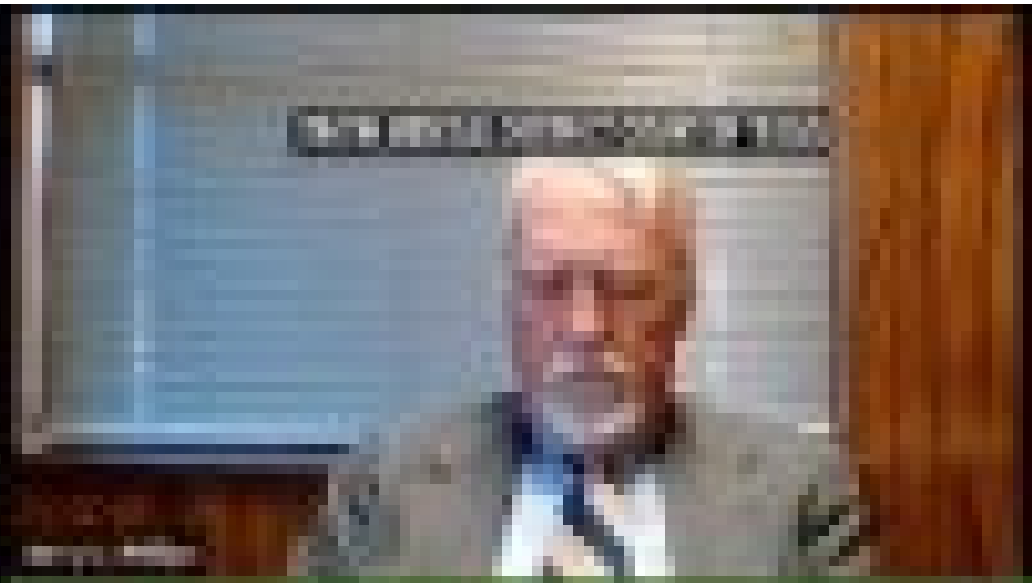
Hearing Basics in Hennepin County

- All hearings are held via Zoom EXCEPT Adoptions.
- All parties are in a large virtual waiting room and moved into a private courtroom when your specific hearing is called.
- Hearings are relatively informal and the flow of the hearing is different from Ramsey County.
- The hearing order is:
 - ACA gives an update.
 - CLC has an opportunity to give an update and advocate for the express wishes of client.
 - If youth is present, they are able to address the court.
 - GAL has an opportunity to speak.
 - Judge circles back to ACA and social worker to address any issues raised by CLC and/or GAL.

Practice Tips for Advocacy by Zoom

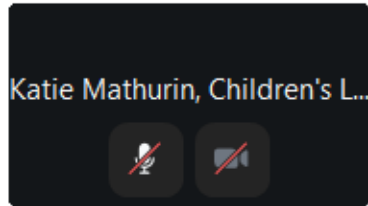


2025 Judicial District Court
Recording of this hearing on the record
is available.
Children may contact the Department of
Social and Community Services at 612-224-2222
and a call center at 1-800-392-2222.




Joining zoom hearings

- CLC will send you the zoom link in a confirmation email
- Can join by meeting ID and password provided on the Notice of Hearing
- Each judge has their own zoom link



Diane Gerth's Personal Meeting Room

Host has joined. We've let them know you're here. 
[Test Speaker and Microphone](#)

Judge Millenacker's Zoom Calendar

You will be admitted when the court is ready. • Direct your attention to the hearing once you are admitted. • No recording of the hearing is allowed. • You should be seated in a quiet space, free of background noise and distractions, and NOT in a moving vehicle. • Please mute your microphone when not speaking. • Call 651-266-5115 if you need assistance. • Please connect the audio.



Issues getting into hearing

- Reach out to legal@clcmn.org
- Ramsey courthouse: 651-266-5115
 - Judge Millenacker's clerk: Diane Gerth
Diane.Gerth@courts.state.mn.us
 - Judge Kraus's clerk: Alexandra Tennant
Alexandra.Tennant@courts.state.mn.us
- Hennepin courthouse: (612) 348-4822
 - Judge Fellman's clerk: Michelle Kabaka
Michelle.Kabaka@courts.state.mn.us

Zoom name

- Identify yourself as a Children's Law Center attorney
 - No need to list your firm's name
- Some clerks will clarify and rename you if there is an issue

Sign in View

Court Clerk

Katie Mathurin, Children's Law Center

Judge

Assistant Count...

Judge

Assistant County Attorney

Unmute Start Video Security Share Screen Summary Apps Whiteboards Notes More End



Sign in View

Court Clerk

Katie Mathurin, Children's Law Center

Unmute ...

Judge

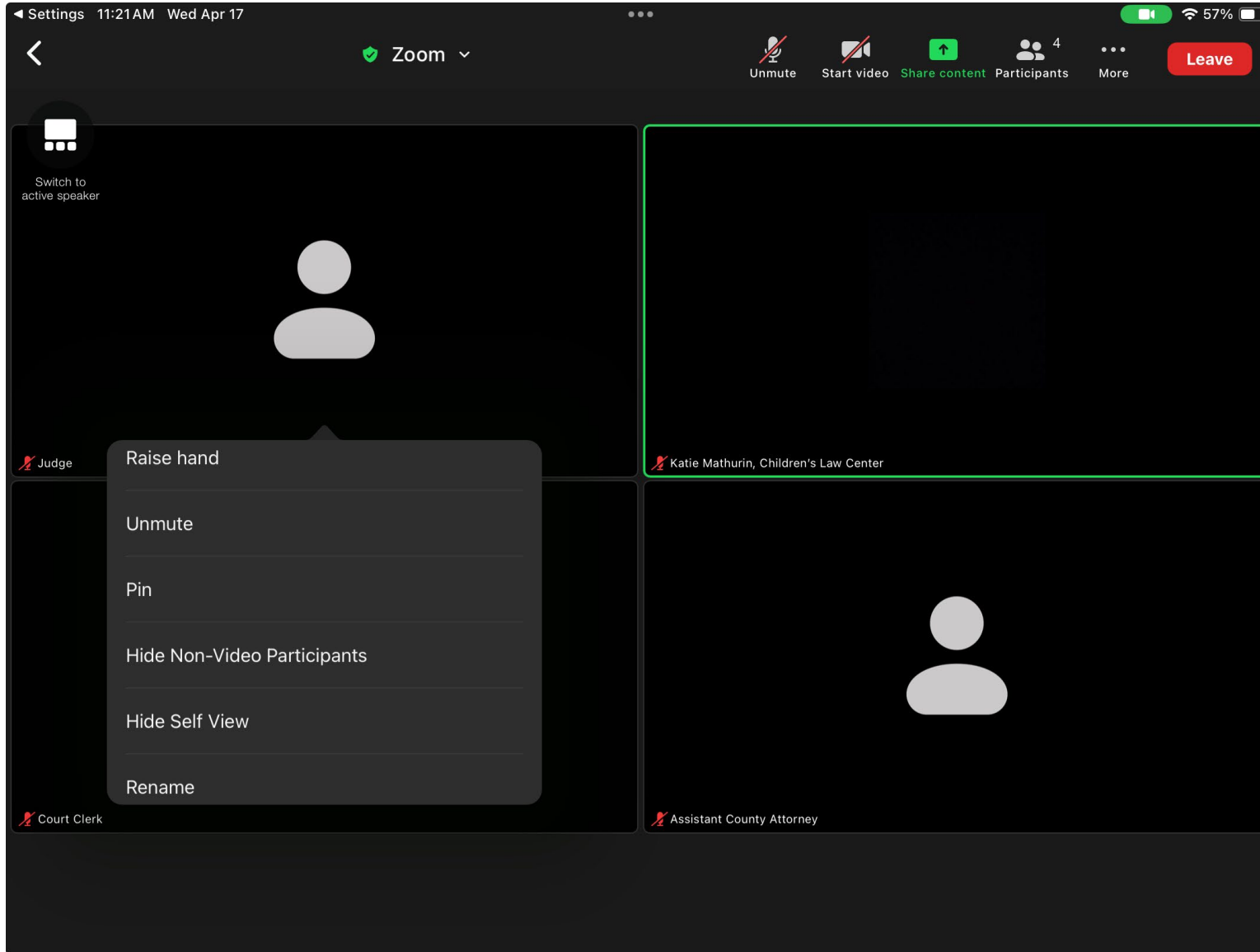
Assistant Count...

Judge

Assistant County Attorney

Unmute Start Video Security Share Screen Summary Apps Whiteboards Notes More End






Zoom Rename

Enter a new name below:

Remember my name for future meetings


Change Cancel

 Court Clerk

Judge

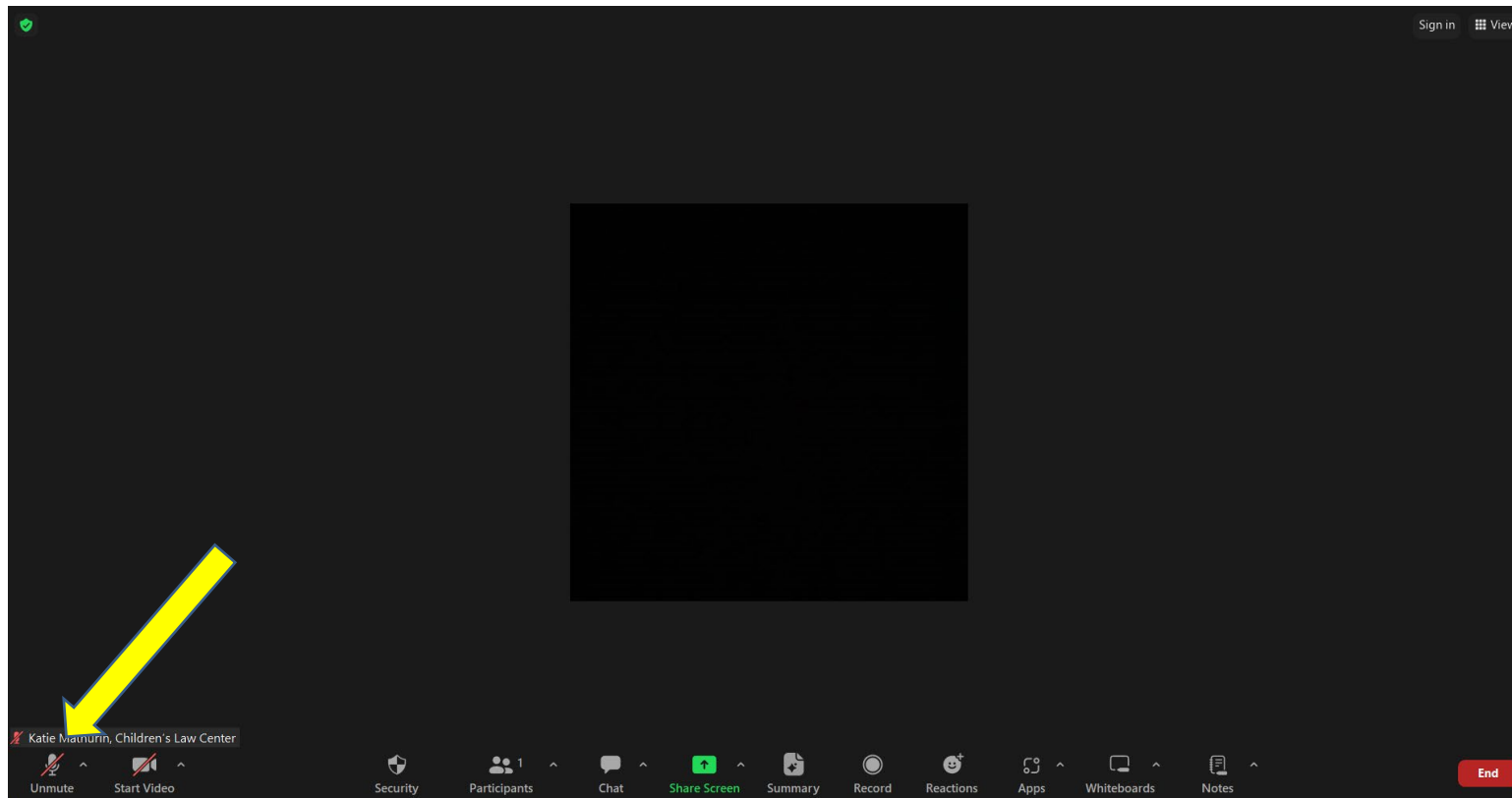
 Judge

Assistant Count...

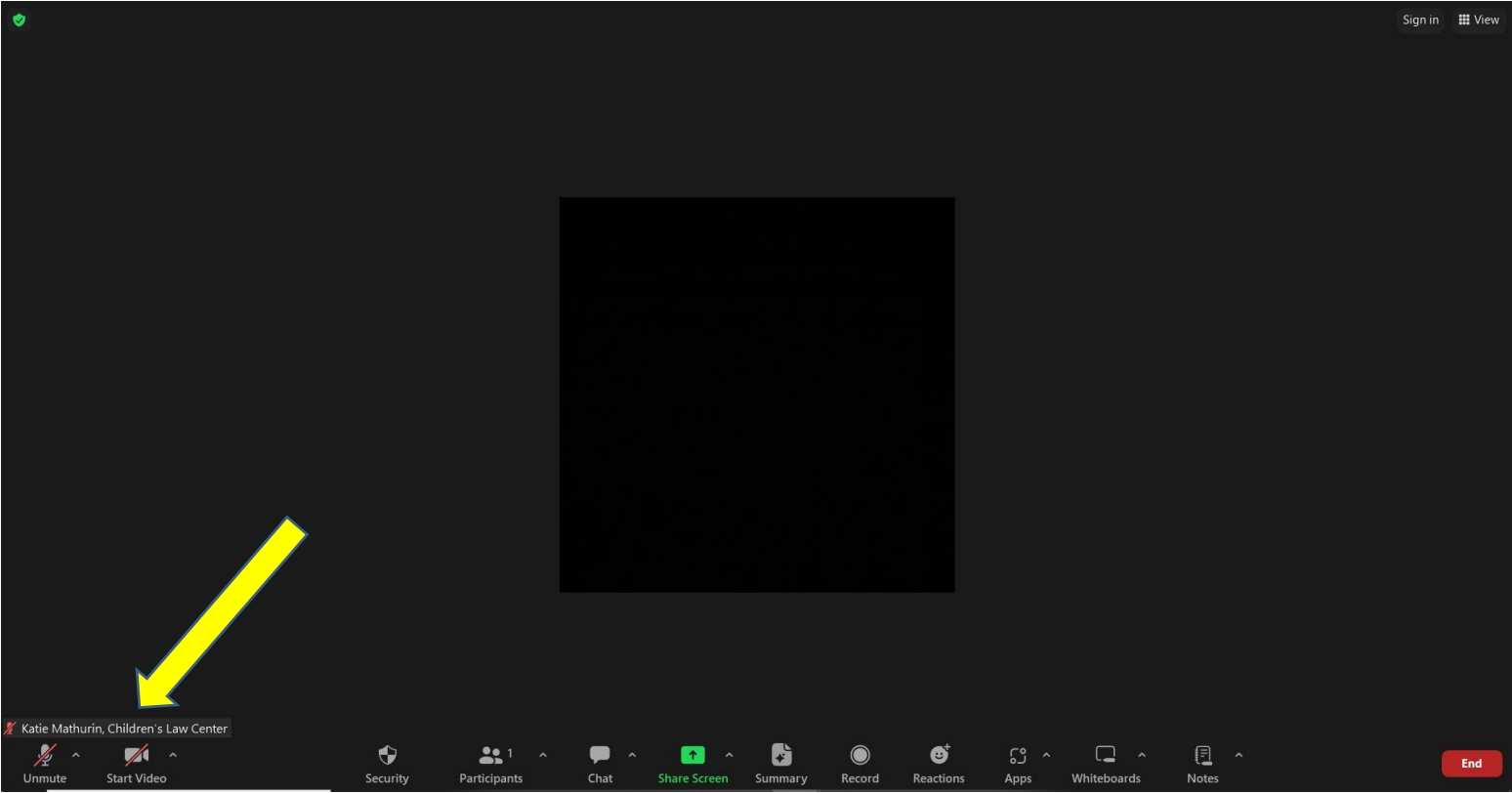
 Assistant County Attorney



Muting/unmuting



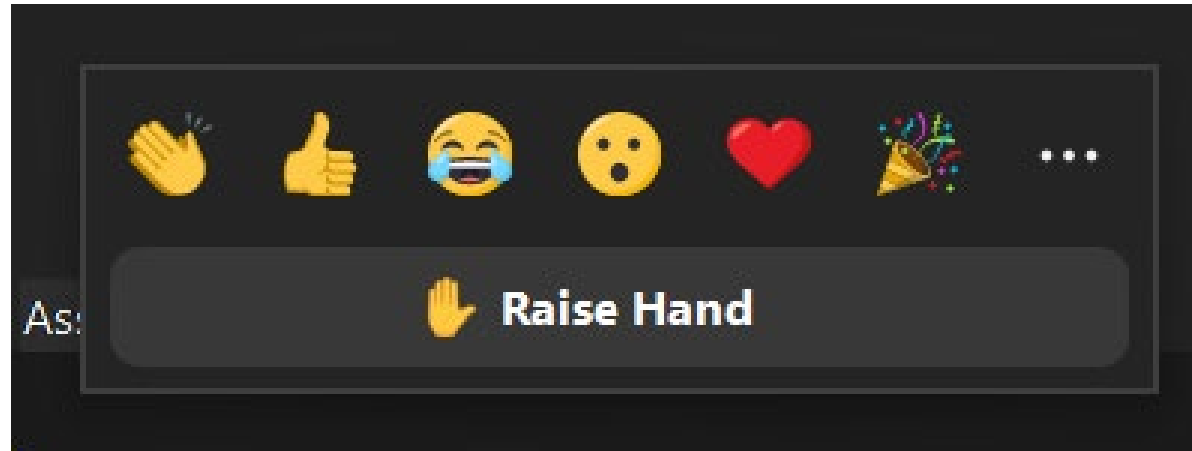
Video



Raise hand function

- Easy way to get the attention of the court without interrupting
 - Judge forgets to “call on” CLC attorney
 - Admit/deny hearing in which CLC may not have a position
 - Additional comments
 - To request a breakout room

The image shows a Zoom meeting interface. At the top right, there are buttons for "Sign in" and "View". The main area is a large black rectangle, likely representing a video feed that is currently off. At the bottom, there is a toolbar with several icons: "Unmute" (muted), "Start Video" (video off), "Security" (shield icon), "Participants" (1 person icon), "Chat" (speech bubble icon), "Share Screen" (green screen with arrow icon), "Summary" (document icon), "Record" (circle with dot icon), "Reactions" (smiley face with plus icon), "Apps" (two overlapping squares icon), "Whiteboards" (board icon), and "Notes" (notepad icon). A red "End" button is located at the bottom right. A yellow arrow points from the bottom right towards the "Reactions" button. In the top left corner, there is a green checkmark icon. Below the toolbar, the name "Katie Mathurin, Children's Law Center" is visible.



Meeting with client who is present

- May request before hearing if there is time
 - Ramsey- request it immediately
 - Hennepin- can request while in “waiting room”
- Easy to request a breakout room following the hearing
- Court clerk will send an invite for breakout room
- Helpful to debrief with client

Client present

- Acknowledge presence of client
- Child can have camera off
 - Let judge know
 - Helps parties to share appropriately
- Text with client during hearing

Requesting a breakout room for sensitive hearings

- “Cattle call” hearings
 - Ramsey post-permanency – Friday mornings
- Hearings in which sensitive info is shared that client would prefer for certain family members NOT to hear
- Sensitive info that county does not want child to hear in that setting
- Usually requested ahead of time. Email parties ahead of hearing; can request through clerk/chambers email

- Share something positive about your clients
 - Some parents or other parties may throw CLC youth under the bus
 - Remind the court and the parties of our clients' trauma and abuse
- When a case drags on without permanency in sight, state the number of days (and convert to years/months) the youth has been in out-of-home placement



Hennepin Adoptions

HENNEPIN COUNTY
JUVENILE JUSTICE CENTER



HENNEPIN COUNTY
JUVENILE JUSTICE CENTER

Hennepin Juvenile Justice Center

- Street parking or HCMC ramp (skyway)
- Security
- Immediately go upstairs
- Check courtroom on monitors by case number

Courtroom etiquette

- Small
- Some space for family/friends
- L-shaped table
- From left to right:
 - ACA, SW, GAL, CLC attorney, client, adoptive parent



More on Hennepin adoptions

- Not all judges are child protection judges
- ACA may take the lead
- Who testifies?
 - Social worker
 - GAL
 - Adoptive parents
- CLC makes a statement on behalf of client
- Family photos with judge afterwards
- Family picks up paperwork

Ramsey Juvenile Justice Center

- In-person hearings:
 - Contested EPCs
 - CHIPS trials
 - Permanency trials (TPRs)
 - Adoptions



Ramsey Juvenile Justice Center

- Street parking
- Security
- Check courtroom on monitor
- Head upstairs
- Spacious courtroom

Courtroom etiquette

- L-shaped long table
- From right to left:
 - SW
 - GAL
 - CLC Attorney
 - Client
 - Adoptive parent

Ramsey adoptions

- No assistant county attorney present
- Child protection judge typically and runs the show
- Who testifies?
 - Social worker
 - GAL
 - Adoptive parents
- Family photos

Questions?

Contact information:

Deb Kovats, Staff Attorney
dkovats@clcmn.org

Katie Mathurin, Staff Attorney
kmathurin@clcmn.org

