



CASA Court Observation Reference Guide

(revised 1.2026)

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I. Who Is in the Courtroom?

Judge / Magistrate

- The Judge or Magistrate presides over the case and makes court orders.
- In D&N cases, Magistrates perform many of the same duties as Judges but have **important limitations**:
 - A Magistrate **cannot preside over a jury trial**.
 - A decisions are first appealed to a **Judge**, then Court of Appeals.
- Because of this, if a case is headed toward **Termination of Parental Rights (TPR)**, the ACA will usually request the case be transferred to a **Judge's division**.
- **Tip:** Always address the judicial officer as "**Your Honor.**"

Assistant County Attorney (ACA)

- The ACA represents the **County Department of Human Services** and is the party that files the D&N case.
- They present the Department's position and usually rely on information and recommendations from the **caseworker**.
- The ACA requests court orders such as custody changes, visitation modifications, and hearing dates.

Caseworker (CW)

- The caseworker is a Department of Human Services employee assigned to the family.
- Responsibilities include:
 - Monthly in-person visits with the child(ren),
 - Maintaining contact with parents and caregivers,
 - Creating and managing the treatment plan,
 - Connecting families to services and resources.
- Typically **do not speak in court** unless directly addressed by the Judge.
- They submit written court reports called Family Services Plans.

Guardian ad Litem (GAL) / Counsel for Youth (CFY)

- **GAL:** Attorney for children **under age 12**.
 - Represents the child's **best interest**, even if that differs from the child's wishes.
- **CFY:** Attorney for youth **12 and older**.
 - Is **client-directed** and advocates for what the child wants.
- GAL may be appointed to represent a **respondent parent** if the parent has cognitive impairment affecting their ability to understand the case.

Special Respondents (SRs)

- SRs are individuals the court gives **party status** to so it can issue orders affecting them. They are **not accused** of abuse or neglect.
- Once made a party, SRs must comply with court orders.
- Most commonly SRs are **relatives** or step parents caring for the child.
 - When a child is placed with a relative, the court explains SR rights and asks whether they agree to become a party.
- **Foster parents are not SRs:**
 - Legal custody remains with the Department.
 - Foster parents are already bound by rules and court orders.

Respondent Parent Counsel (RPC)

- RPCs represent the parents.
- If parents qualify financially, the court appoints an attorney through the **Office of Respondent Parent Counsel (ORPC)**, a statewide agency.
- Parents may hire a private attorney, or represent themselves (*pro se*), though this is less common.

II. Order of Proceedings in Court

1) Calling the Case

- The Judge/Magistrate calls cases based on attorney readiness, **not docket order**; Listen for your **case number**.

2) Going on the Record:

Once the case is called, everything said becomes part of the official record.

ACA Makes a Record

- Provides an update on the family's progress.
- May request changes (custody, visitation, services).
- Typically asks to set the next hearing.

GAL / CFY Makes a Record

- Updates the court on the child's safety, well-being, and needs.
- CFY may state the child's wishes (age-dependent).
- May request orders similar to or different from the ACA.

CASA Makes a Record

- Shares updates since court report and emphasize key points report.
- Makes unbiased recommendations based on the **child's best interest**.
- Records should be **clear and concise**, as courts are very busy.
- Judges greatly value CASA input.
- It is helpful to note whether you **agree or disagree** with the ACA or GAL/CFY's requests.

Respondent Parent Counsel Makes a Record

- RPCs speak for the parents; parents usually do not speak on record unless Judge addresses them.
- They may provide updates on their client, object to requests from the ACA, GAL, or CASA, make alternative requests.

3) Court Orders

- The Judge/Magistrate decides which requests are granted or denied.
- Orders are entered based on what the court believes is appropriate.
- The next hearing is scheduled.
 - CASA volunteer does not offer input when dates are being proposed as coverage will be provided if necessary.

III. CASA Pro Tips: Courtroom Edition

Before Court

- ✓ **Read the docket and your report the night before.** Highlight 2–3 key points you may want to emphasize if asked to speak.
- ✓ **Confirm the hearing format** (in person vs. virtual) and location.
- ✓ If you cannot attend, **notify your Advocate Supervisor ASAP.**

When Your Case Is Called

- ✓ Be on time, but also be prepared to wait if the court is running late.
- ✓ Stand when speaking and address Judge/Magistrate as “Your Honor.”
- ✓ Speak clearly and calmly; the court record is audio recorded.

Making Your Record

- ✓ Keep comments **brief and child-focused.**
- ✓ Share new updates since your report; mention important highlights.
- ✓ Plain, thoughtful observations are valued.

What Not to Do

- 🚫 Do not interrupt other parties.
- 🚫 Do not approach the bench or clerk without asking permission.
- 🚫 Do not argue with attorneys — your role is advocacy, not litigation.
- 🚫 Do not speculate; if you don’t know something, it’s okay to say so.

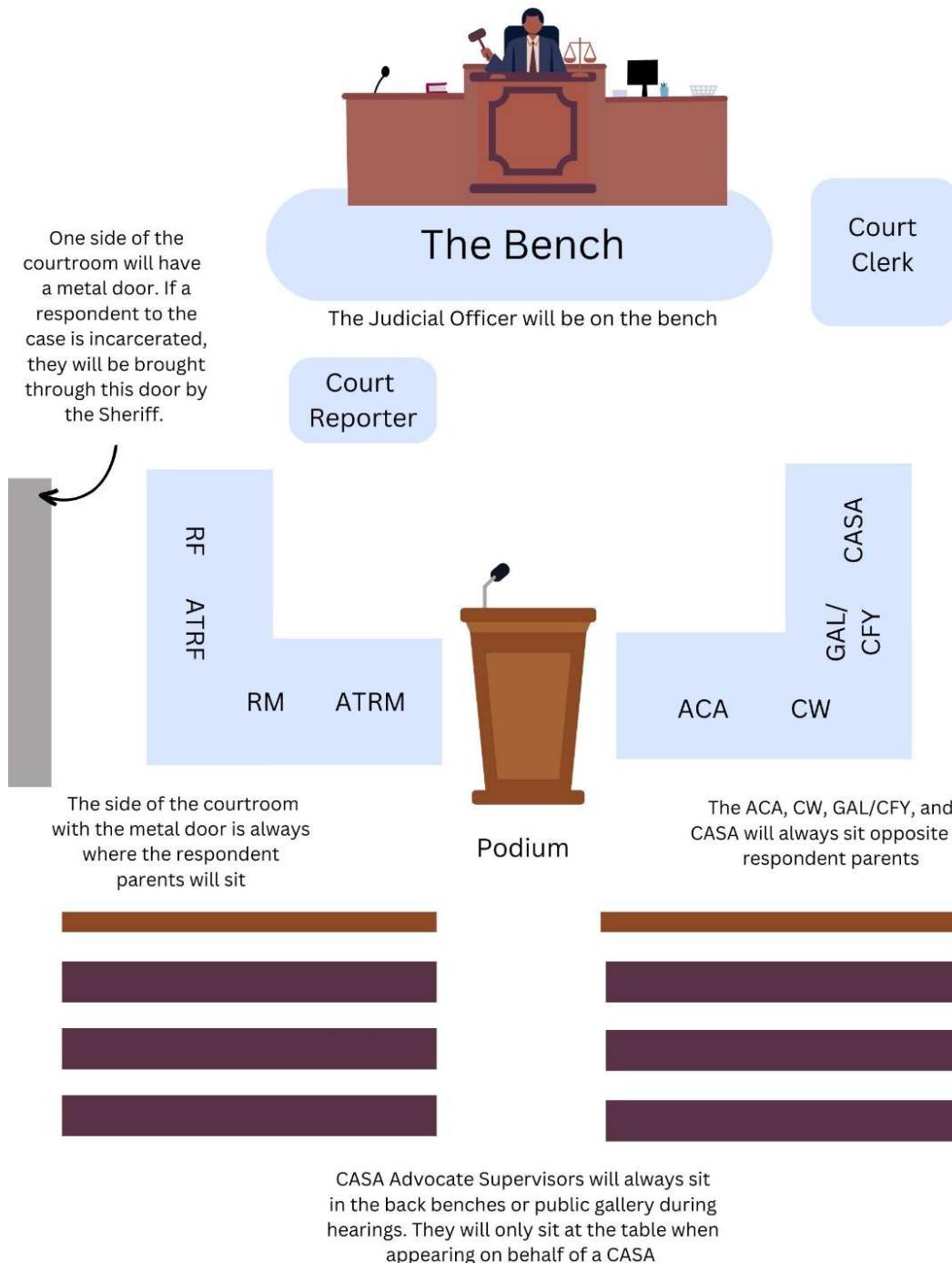
Managing Nerves

- ✓ It’s normal to feel nervous — judges expect this from volunteers.
- ✓ Take a breath before speaking; you won’t be rushed.
- ✓ Remember: **your perspective may be the only neutral, child-focused voice in the room.**

If Things Get Complicated

- ✓ Contested hearings and trials are for attorneys — **CASAs observe, not participate.**
- ✓ Advocate Supervisors are always there to support you — you’re never expected to navigate court alone.

IV. Courtroom Layout and Seating Chart



V. Types of Hearings

All types of hearings are pursuant to the Children's Code, which is a set of statutes related to child and family law. There are timelines set forth in the law for when hearings need to be. The Judicial Officer and ACA will ensure the dates and times are not set outside of the statutory guidelines

Shelter Hearing

- This is the first court hearing in a D&N case.
- The petition is filed, and the Judge or Magistrate reviews the allegations.
- Parents may enter an adjudication at this hearing, but they are not required to do so.
- If parents are not ready to enter a plea, the case is typically set for a Pre-Trial Conference (PTCF).

Adjudication / Pre-Trial Conference (PTCF)

- A PTCF may be held before adjudication is entered.
- At these hearings, parents (Respondents) may:
 - Raise concerns about the allegations, or
 - Move forward with adjudication.
- Adjudication is when parents are asked to admit or deny the allegations.
 - If a parent fails to appear, the court may enter a default admission, giving the court jurisdiction over that parent.
 - If a parent admits, the court gains jurisdiction, and the parent must follow all court orders.
 - Most parents enter a “no-fault” admission, meaning they allow court involvement without admitting wrongdoing. This is the most common outcome in D&N cases.
 - If a parent denies the allegations, the case proceeds to trial.
- D&N cases are civil, not criminal:
 - The terms *admit* and *deny* are used instead of *guilty* or *not guilty*.
 - Admitting in D&N court does not equal a criminal conviction.
 - Criminal cases may occur separately and have a higher burden of proof.
- The overall goal of D&N court is *family healing and reunification*, not punishment.

Trial

- A trial occurs when a parent denies the allegations.
- This is the only stage where a parent has the right to a jury trial.
- The County must prove the allegations by a preponderance of the evidence, meaning they are more likely true than not (the lowest legal standard).
- For comparison, criminal cases require beyond a reasonable doubt.
 - Termination cases require clear and convincing evidence (unless ICWA applies).

Dispositional Hearing

- A Treatment Plan is presented to the court for approval.
- The Treatment Plan:
 - Is created by the Department.
 - Lists services parents must complete (e.g., therapy, substance use treatment, parenting support).
 - Is designed to make parents safe, appropriate, and protective.
- Parents must agree to the plan for the hearing to proceed.
- If there are disagreements, a contested dispositional hearing may occur, though this is rare.

Permanency Planning Hearing (PPH)

- A permanency goal must be adopted in every D&N case.
- By law, all cases must start with the goal of “Return or Remain Home.”
 - The court must first try to reunify families and support parents.
- In rare cases, the County may request an initial goal of termination if no treatment plan could be beneficial.
- Permanency goals can change over time:
 - For example, from *Return Home* to *Return Home with a concurrent goal of Adoption* if progress is limited.

Termination of Parental Rights (TPR)

- If reunification is no longer appropriate, the case may move toward termination.
- If parents contest termination, the matter goes to a court trial (judge only, no jury).
- If rights are terminated:
 - The case does not end until permanency is achieved.
 - Adoption is the most common next goal.
- For older youth:
 - The goal may be OOPLA (Another Planned Permanent Living Arrangement), focused on preparing for independence.
 - If the case remains open at age 18, it may become a Youth in Transition (YIT) case.
- OOPLA and YIT cases are complex; Advocate Supervisors are key supports.

Review Hearings

- Most hearings in a case are review hearings.
- These occur after the Treatment Plan and permanency goal are adopted.
- The court receives brief updates on:
 - Parent progress, Child well-being, Placement stability.
- Review hearings are generally short and focused on status updates.

VI. Colorado Dependency and Neglect Case & Hearing Flowchart

