



## Insights from Parent Partners on Virtual Child Welfare Hearings

December 2023

### Introduction

Amidst the COVID-19 pandemic, many courts relied on remote or virtual hearings to ensure continuity in child welfare proceedings while adhering to social distancing guidelines. Implementing virtual hearings required significant adaptations to established operations in most jurisdictions. As a result, parents involved in child welfare cases experienced substantial changes in how they accessed, participated in, and experienced court hearings. Many jurisdictions continue to use virtual hearings, and as they formalize their processes, reflecting on the experiences of families and court professionals in participating in virtual hearings can be helpful.

Acknowledging this, the National Center for State Courts (NCSC), in collaboration with Casey Family Programs, sought to understand the experiences of parents in child welfare cases in remote hearings. Their experiences can inform policies and practices to promote virtual hearings that serve the needs of parents.

NCSC encountered challenges gathering information from parents who had participated in virtual hearings. Initial attempts to administer electronic surveys immediately following hearings resulted in a low response rate. Further, the sample was limited to parents who were comfortable with technology to click the survey link. Similarly, engaging court professionals to recruit parents locally and offer incentives yielded a low response rate. In response to these challenges, NCSC enlisted the help of Parent Partners who support and guide parents involved in child welfare cases. Parent Partner Programs have been shown to contribute to timely

reunifications with reduced reentry to care.<sup>1</sup> NCSC invited Parent Partners to participate in focus groups to share their valuable observations and experiences supporting parents during virtual child welfare hearings. This brief summarizes their observations and experiences and offers strategies to better support parents in virtual hearings.

## **Methodology**

NCSC recruited participants from Parent Partner programs across the nation. Eligibility was limited to Parent Partners who worked with parents involved in child welfare cases between 2020-2022.

Parent Partners participated in virtual focus groups designed to explore their experiences and observations concerning parents' involvement in virtual child welfare hearings. They were also asked about the impact of the COVID-19 pandemic on their work and the lives of the parents they support. Moreover, they were encouraged to provide insights and suggestions on how courts could improve virtual hearings.

A total of 25 Parent Partners participated in one of seven focus groups between July 2022 and November 2022. Notably, more than one-third of the Parent Partners disclosed personal experience as a parent involved in the child welfare system. Their lived experiences contribute an additional layer of value to the data collected.

## **Parent Partners' Observations**

Parent Partners played a crucial role in preparing parents for remote hearings and providing emotional and technical support during the hearings. Most Parent Partners agreed that courts should continue to use remote hearing technology for some hearing types as long as all parties have access to the necessary technology. During the focus groups, they shared the perceived benefits and challenges of remote child welfare hearings. These themes are summarized below.

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<sup>1</sup> Casey Family Programs. What are the key elements for sustaining, expanding, and spreading parent partner programs? September 2023. Available: <https://www.casey.org/media/23.07-QFF-TS-Parent-partner-program-themes.pdf>

## Parent Partners See Virtual Hearings as Convenient but Also Frustrating

Parent Partners participated in a word association exercise and were entered the first word that came to their minds upon hearing the phrase “virtual hearing.” The words have positive and negative connotations, identifying both the perceived benefits and drawbacks of remote hearings. The results, displayed in a word cloud, revealed a range of emotions and experiences.

Some of the positive associations included "convenient," "access," and "creative." On the other hand, negative sentiments like "frustrating" and "disengaging" highlight concerns about maintaining effective communication and organization in the virtual format. The term "Zoom" suggests the association of remote hearings with the popular online platform often used for these hearings. The word associations reflect mixed feelings towards virtual hearings, encompassing advantages and challenges.



## Parent Partners Observed Remote Hearings Facilitating Parent Engagement

Parent Partners described several ways remote child welfare hearings benefited parents. First, they observed that remote hearings eliminated the parents' perceptions of the courtroom as an adversarial environment. This enabled them to engage in the hearing more fully. Parent Partners noted that many parents were less anxious and intimidated when engaging in proceedings from their homes and appreciated the ability to access coping mechanisms that they would not have been able to use in the courtroom.

Second, Parent Partners observed that the virtual format made it easier for parents to attend by eliminating travel time and other logistical barriers. Some of the Parent

Partners felt strongly that their clients were more likely to appear in remote hearings than in-person hearings and that this increased attendance led to greater engagement in the child welfare process overall. While remote hearings eliminate travel time and costs for all, some Parent Partners did not observe increased attendance or engagement in all of the jurisdictions where they work, suggesting that factors in addition to remote hearings contributed to increased attendance.

## **Some Engagement Challenges Persist in Remote Hearings**

Most Parent Partners reported that parents' understanding of child welfare hearings was generally the same whether the hearing was conducted virtually or in person; however, some Parent Partners mentioned that their clients had a more difficult time understanding the court process during remote proceedings. They cited issues with internet connections and distractions in the participants' environment as primary reasons for difficulties.

Further, Parent Partners raised concerns about missed opportunities for meaningful participation in remote hearings. Occasional pauses and technical difficulties in remote hearings may hinder effective communication, leaving some parents feeling as though they were unable to communicate their needs. Additionally, distractions in hearing participants' environments challenge engagement by diverting their attention and reducing their active participation, potentially impacting the quality of discussions and decision-making.

## **Parent Partners Noted that Parents Need Assistance with Technology Access and Use**

Most Parent Partners recalled working with parents with limited access to technology or unstable connectivity. These challenges create barriers to effective participation in virtual hearings and may lead to unintended harm.

For example, Parent Partners described parents having difficulty navigating the process of calling in or using the virtual platforms, particularly those unfamiliar with technology. This difficulty exacerbates the stress of their hearing. Many Parent Partners described providing step-by-step directions to parents to help

them navigate the platform, noting that without their support, parents would be left with limited instructions.

## **Parent Partners Fear Remote Hearings' Impact on Parental Accountability**

Some Parent Partners expressed concern that parents may feel less accountable when attending hearings remotely compared to attending in person. They mentioned that in-person hearings are viewed as more important than remote hearings. A couple of Parent Partners felt that parents struggling to engage in their case plan should be required to be physically present in court and case-related meetings. They suggested that finding ways to ensure and promote accountability in virtual hearings may be beneficial to maintaining the integrity and effectiveness of the child welfare process.

## **Parent Partners Experienced Difficulty Establishing Relationships Virtually**

Parent Partners described challenges they experienced trying to establish rapport and build trust with parents remotely. One Parent Partner stated that connecting via telephone with parents seemed impersonal and expressed that they could not get as good of an understanding of the parent's needs as they do in person. Parent Partners also said they received less information from parents during remote communication and generally preferred to be in-person so they could read non-verbal cues and more easily express empathy.

## **Parent Partners Prefer In-Person Hearings for Making Big Decisions**

Parent Partners identified several circumstances when they believe remote hearings are appropriate, including hearings to address immediate needs and routine case reviews. However, they also identified several circumstances when hearings are better held in person, including when parents are not fulfilling their responsibilities or when critical decisions must be made. All Parent Partners agreed that termination of parental rights should be in person to demonstrate the seriousness of the hearing.

Many Parent Partners expressed that decisions about whether a hearing should be held remotely or in person should be a case-by-case determination, considering both the family's situation and the nature of the hearing. In their opinion, the parents should have a say in whether the hearing will be virtual or in-person. Parent Partners stated that being offered a choice empowers parents and may lead to more meaningful engagement.

## **Strategies for Courts to Engage Parents in Virtual Child Welfare Hearings**

Based on the observations of Parent Partners, there are several ways that courts can support parents in attending and engaging in virtual child welfare hearings.

1. **Provide Clear and Accessible Information:** Courts can provide parents with guidance on joining virtual hearings and navigating virtual platforms, including any technical requirements. This information can be shared with parents in multiple formats and methods, including the court's website, through attorneys, and through Parent Partners. The court should work with their child welfare system partners to decide on a procedure for sharing this information with parents, including whose responsibility it is.
2. **Offer Technical Support:** Ensure there are ways for parents to receive support for connectivity or technology-related challenges they may encounter during the virtual hearing. This may be a helpline, a dedicated technical support team, or through a Parent Partner or mentor. Parents should have information about who to reach out to for technical assistance before the hearing.
3. **Encourage Parent Participation:** Foster a courtroom environment where parents feel encouraged and empowered to actively participate in the virtual hearing. This includes traditional engagement techniques such as calling individuals by their names and giving them an opportunity to speak. In virtual hearings, courts can encourage participation by ensuring that professionals are on camera with their names and roles listed so that parents know who is in attendance and confirming that parents' sounds and audio are functioning.

The Parent Partners interviewed offered valuable insights into the challenges and opportunities associated with virtual child welfare hearings; however, their experiences represent a small number of jurisdictions. Courts are encouraged to elicit feedback

from parents and court professionals in their courtrooms to understand their experiences and identify opportunities for improvement. As part of [NCSC's CourTools Trial Court Performance Measures, Measure 1 \(Access and Fairness\)](#) provides a process and standardized set of questions that courts can use to solicit feedback from court users about their experiences.

In response to the unprecedented shift to virtual child welfare hearings during the COVID-19 pandemic, the National Center for State Courts (NCSC) gleaned insights from Parent Partners who shed light on the nuanced dynamics of virtual proceedings. Acknowledging both the conveniences and frustrations associated with remote hearings, Parent Partners emphasized the crucial role of tailored strategies to enhance accessibility, technical support, and consideration of visual cues by underscoring the need for flexibility in choosing the hearing format, striking a balance between the advantages of virtual proceedings and the essential aspects of in-person interactions. These insights provide a valuable compass for courts navigating the evolving landscape of child welfare. By implementing the above strategies and leveraging the input of parents and Parent Partners, courts can advocate for and facilitate a supportive and accessible approach to virtual hearings. While virtual hearings were initially implemented as a solution to the social distancing requirements of the pandemic, courts can now proactively consider them as another tool in their toolbox for facilitating meaningful parent engagement.

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