



## HELPFUL DESCRIPTORS FOR OBSERVING AND CREATING A RECORD: VTC “ROCKET DOCKET” FOR CHILDREN IN ORR CUSTODY

One of the main barriers to due process and a fair hearing for children on the VTC Rocket Docket is the additional layer of confusion and fear that youth may experience based on their age, developmental level, cultural understandings, and reactions to the trauma of being detained or the trauma experience before coming to the United States. While documenting a failure in audio or video technology is fairly straight forward, documenting the experience of the child during the VTC hearing requires more nuance. The following is a list of example terms/descriptors to describe children at different development stages, generally, as well as behavioral indicators that the process might not be working for them. Observers and attorneys appearing as representatives or Friend of Court are encouraged to use this as a guide to think about situations that might escape the record if not described. Observers can use these expressions in their statements and representatives (and Friend of Court to the extent the court will allow) can try to get them entered into the record. The goal is \*not\* to diagnose a child on the record or even make an assessment of the child but to put on the record facts that could be helpful down the line for an expert, attorney or appellate body to review.

### Describing Body Language

- The child/young person/youth/adolescent/teenager is [describe body language]
  - Biting fingernails
  - Crossing their arms
  - Sitting on hands
  - Scratching/rubbing head/eyes
  - Hand placed on cheek
  - Locked ankles
  - Head in hands

- Yawning/fidgeting/slouching
- Head is tilted/brow is furrowed/eyes are narrowed/shoulders shrugged
- Wide eyed/narrowed eyed/teary eyed
- Trembling/Staring
- Crying/Weeping/Sobbing/lip quivering/bottom lip sticking out
- Blushing
- Rapidly blinking
- Clenching fists at sides

### Youth on Screen

- There appear to be additional children in the room whose voices I could hear but whose faces I could not see on the screen
- I could hear about xx voices, but only saw xx children on screen
- There were about xx children on the screen. Their faces were blurred/shadowed/too small to see individual expressions.
- It was hard to tell where the children on the screen were looking.
- The children on the screen were not looking directly at the camera which made it difficult to fully see their facial expressions and demeanor.
- The children on the screen were not looking directly at the camera which made it difficult for the judge to make eye contact with them.
- The child's face was obstructed by \_\_\_\_\_ and I could not completely see their facial expression.
- The child was looking up/down/away/towards \_\_\_\_\_ which made it difficult to fully see their facial expressions and demeanor.

### Children in courtroom

- The child is looking off in a direction other than the judge or interpreter and appears to be thinking about something else.
- The child's head is dropped, looking away from either the judge or the interpreter.
- The child continually looks back to their peers.

- The child continually looks up to the attorney with wide eyes and leans over to speak quietly with them.
- The child is clinging/sitting very close to the attorney/other children.
- The child is nodding and making eye contact with the interpreter who is in the Houston immigration Court, rather than the judge on the screen.
- The child's voice was barely audible to the observer; the interpreter's translation was interpreted in an audible voice so the child's demeanor may have been lost in translation.
- The child's facial expression was strained and they were holding their head as though they had a headache.
- The child repeated their answer several times; but when interpreting, the interpreter only translated the first time the child answered.
- The child seemed to have a "flat" affect.
- The child appeared "jumpy"; they had a physical reaction, like a flinch, each time [the door closed, the mic screeched, etc.]