

# BE EFFECTIVE IN JUVENILE COURT: GUIDE TO PRACTICE AND PROCESS



## TRAINING TEAM

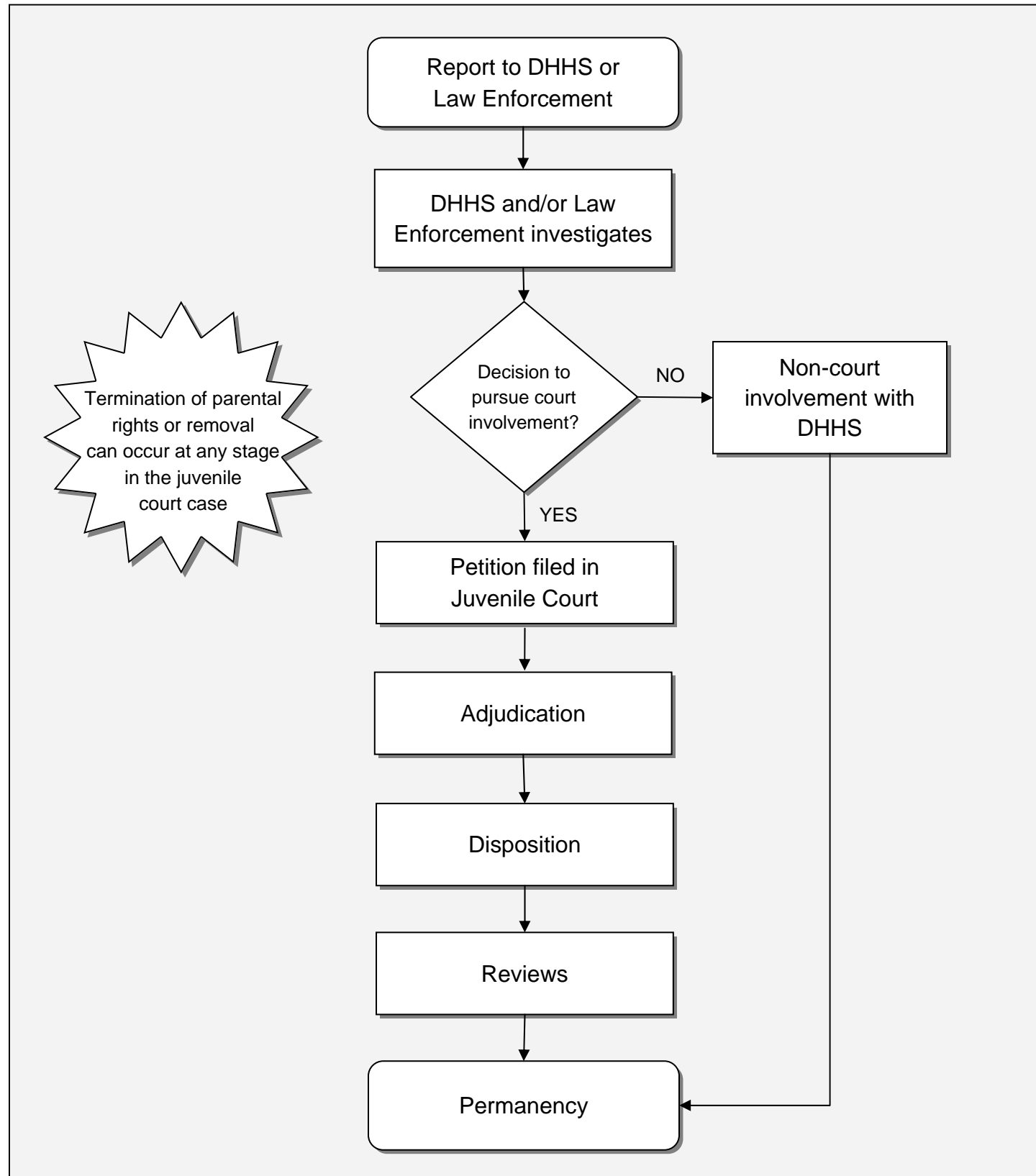
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The following booklets are available for workers to distribute to youth and families. These are available through your local courthouse or on the Nebraska Court Improvement Project at [http://www.throughtheeyes.org/resources/guide\\_books.php](http://www.throughtheeyes.org/resources/guide_books.php)

- *Guide for Parents: Walking Your Way Through the Nebraska Juvenile Court Child Protection Process* (2009 Edition)
- *Know Your Rights: A Guide for Youth in Nebraska's Foster Care System* (2008)



STEP OF PROCESS	PURPOSE	CASE MANAGER RESPONSIBILITIES
<p><b>Report to DHHS or Law Enforcement</b>  <b>§§28-710;28-713</b>                      The government finds out that a child may need protection.</p>	<p>Initial fact gathering to determine if there is enough evidence to warrant investigation.</p>	<ul style="list-style-type: none"> <li>• Complete DHHS intake process.</li> </ul>
<p><b>DHHS and/or Law Enforcement investigates</b>  <b>§28-713</b>                      The government gathers information and decides whether the child needs protection.</p>	<p>More intensive and comprehensive fact gathering.                      Law enforcement determines whether or not a crime has been committed. DHHS determines whether or not there is an active safety threat and if risk level is high enough for ongoing involvement (with or without the court).</p>	<ul style="list-style-type: none"> <li>• Complete DHHS initial assessment process.</li> </ul>
<p><b>Decision to pursue court involvement</b>  <b>§43-247(3)(a)</b>                      DHHS and the county attorney decide whether to use the court process to protect the child.</p>	<p>Determine if the child is at risk of harm and if the facts gathered in investigation meet any of the grounds under §43-247.</p>	<ul style="list-style-type: none"> <li>• Mandatory consultation with supervisor to determine if a request to file a petition should be submitted to the county attorney</li> <li>• Provide all behaviors that need correction to the county attorney for the petition</li> </ul>
<p><b>Petition filed in Juvenile Court</b>  <b>§43-274</b>                      The county attorney writes the document that officially starts the case in Juvenile Court.</p>	<p>DHHS's relationship with the family moves from non-court involved (voluntary) to court involved. This shift charges the people assisting the family to correct the problem to include the judge and attorneys. This begins the process to allow the judge to order parents to change those behaviors that led to court involvement.</p>	<ul style="list-style-type: none"> <li>• Provide all names and addresses for potential parents to the county attorney</li> <li>• Provide parents the <i>Request an Attorney</i> form and explain the court process – using the <i>Guide for Parents</i> booklet</li> <li>• Assist in locating parent(s) for service of summons</li> <li>• Notify the non-custodial parent</li> </ul>



# JUVENILE COURT PROCESS

STEP OF PROCESS	ASSOCIATED HEARING(S)	PURPOSE	CASE MANAGER RESPONSIBILITIES
<b>Adjudication</b> The judge determines that the facts of the case fall within the child abuse and neglect statute (43-247(3)(a)). The court takes jurisdiction over the case, and the judge now has the authority to order the parent to correct the behaviors described in the petition.	<b>First Hearing on the Petition</b> <b>§43-279.01(1);(2)</b>  Other names: <i>Initial Adjudication Hearing, First Hearing, First Adjudication Hearing, Admit or Deny Hearing.</i>  These hearings generally occur within 30 days of the petition being filed. Parents need to be served at least 72 hours before hearing.	Hearings are held to ensure that the parties to the case are adequately represented and that they understand why the court is involved. Parents respond to the petition by admitting or denying the allegations.	<ul style="list-style-type: none"> <li>Explain court process and facilitate appointment of counsel.</li> <li>At <b>every</b> hearing you should be prepared to identify Reasonable Efforts and assess placement.</li> <li>Bring a copy of the IA to court.</li> <li>Provide addresses for parent(s) to the county attorney.</li> <li>If the parent(s) admit, inform the court what DHHS needs from parent/family in order to create a plan to correct the adjudicated behaviors:                             <ul style="list-style-type: none"> <li>Parenting Time</li> <li>Assessment</li> <li>Additional court orders for parents (e.g., drug testing, releases, urinalysis (UAs))</li> </ul> </li> </ul>
	<b>Pre-Trial Proceedings</b> <b>§43-279.01(3)</b>  Other names: <i>Pre-Adjudication Hearing, docket calls, pretrial conferences, Discovery Hearings, Motion Hearings, Check Hearings</i>  These hearings only occur if the parents deny the allegations and are used to prepare for the trial.	These hearings ensure all the parties are adequately prepared for trial by exchanging discovery and witness lists. During this time, parents may change their “denial” to an “admission” or “no-contest” plea at any court hearing.	<ul style="list-style-type: none"> <li>Participate in discovery; prepare to testify; prepare child to testify; and assist county attorney with trial preparation.</li> <li>If the parent(s) admit, inform the court what DHHS needs from parent/family in order to create a plan to correct the adjudicated behaviors:                             <ul style="list-style-type: none"> <li>Parenting Time</li> <li>Assessment</li> <li>Additional court orders for parents (e.g., drug testing, releases, UAs)</li> </ul> </li> </ul>
	<b>Trial</b> <b>§§43-278; 43-279.01(3); (4)</b>  Other names: <i>Formal adjudication hearing, formal hearing, adjudication.</i>  This hearing generally occurs within 90 days of petition filing. County attorney’s burden of proof is a preponderance of the evidence.	County attorney presents evidence (e.g. testimony from witnesses, documentation) to prove the allegations in the petition. The parents’ attorneys and the Guardian Ad Litem (GAL) may also present evidence.	<ul style="list-style-type: none"> <li>Testify</li> <li>If the court adjudicates, inform the court what DHHS needs from parent/family in order to create a plan to correct the adjudicated behaviors:                             <ul style="list-style-type: none"> <li>Parenting Time</li> <li>Assessment</li> <li>Additional court orders for parents (e.g., drug testing, releases, UAs)</li> </ul> </li> </ul>

# COMMUNICATING WITH THE COUNTY ATTORNEY

## LETTER

INFORMATION NEEDED IN EACH TYPE OF LETTER	
Placement	Parenting Time
Docket and page number	Docket and page number
Legal name of child(ren)	Legal name of child(ren)
Parents’ names	Parents’ names
Current placement	Current parenting time
New placement	New parenting time
Why change is necessary	Why change is necessary
How DHHS will ensure safety	How DHHS will ensure safety
Represent each party’s position on DHHS request	Represent each party’s position on DHHS request

- TO DO:
- Contact all legal parties and learn their position on the request
    - County Attorney
    - Parent
    - GAL
    - Parent’s Attorney
    - Tribe
  - Include attachments—these should support your reason for change, including, but not limited to:
    - Letters from therapist
    - Summary of UAs
  - Sign and date the letter

## REQUEST TO FILE

INFORMATION NEEDED IN REQUEST TO FILE
Legal name of child(ren)
Parents’ names
Father’s status (married, acknowledgement of paternity, child support, self-identified, unknown)
History <ul style="list-style-type: none"> <li>Previous court involvement</li> <li>Previous removals/placements</li> <li>Patterns of behavior</li> <li>How DHHS handled previous case(s) and the services involved including progress on identified behaviors</li> </ul>
Investigation <ul style="list-style-type: none"> <li>Date DHHS became involved with family</li> <li>Information reported to DHHS</li> <li>Dates event(s) occurred</li> <li>DHHS efforts to provide in-home safety</li> <li>Describe safety threat(s) present</li> </ul>
Reasonable efforts to preserve family and prevent removal—how did DHHS try to change the behavior(s) that caused the safety threat

- TO DO:
- Include attachments (if the information cannot be effectively summarized within the Request to File)
    - IA (service area specific)
    - Documents from the school
    - Any police report(s) from outside your county
    - Therapist’s report(s)

# COMMUNICATING WITH THE COUNTY ATTORNEY

What do you need to do?	Method of Communication (varies by service area)		
	Affidavit	Request to File	Letter
Removal	✓	✓	
Petition		✓	
Placement	✓	✓	✓
Visitation	✓		✓
Due Diligence for Publication	✓		

**REQUIREMENTS**

**for all methods of communication**

- Use your own words—do NOT copy/paste information from other sources
- Include the first and last name of every person mentioned in the document

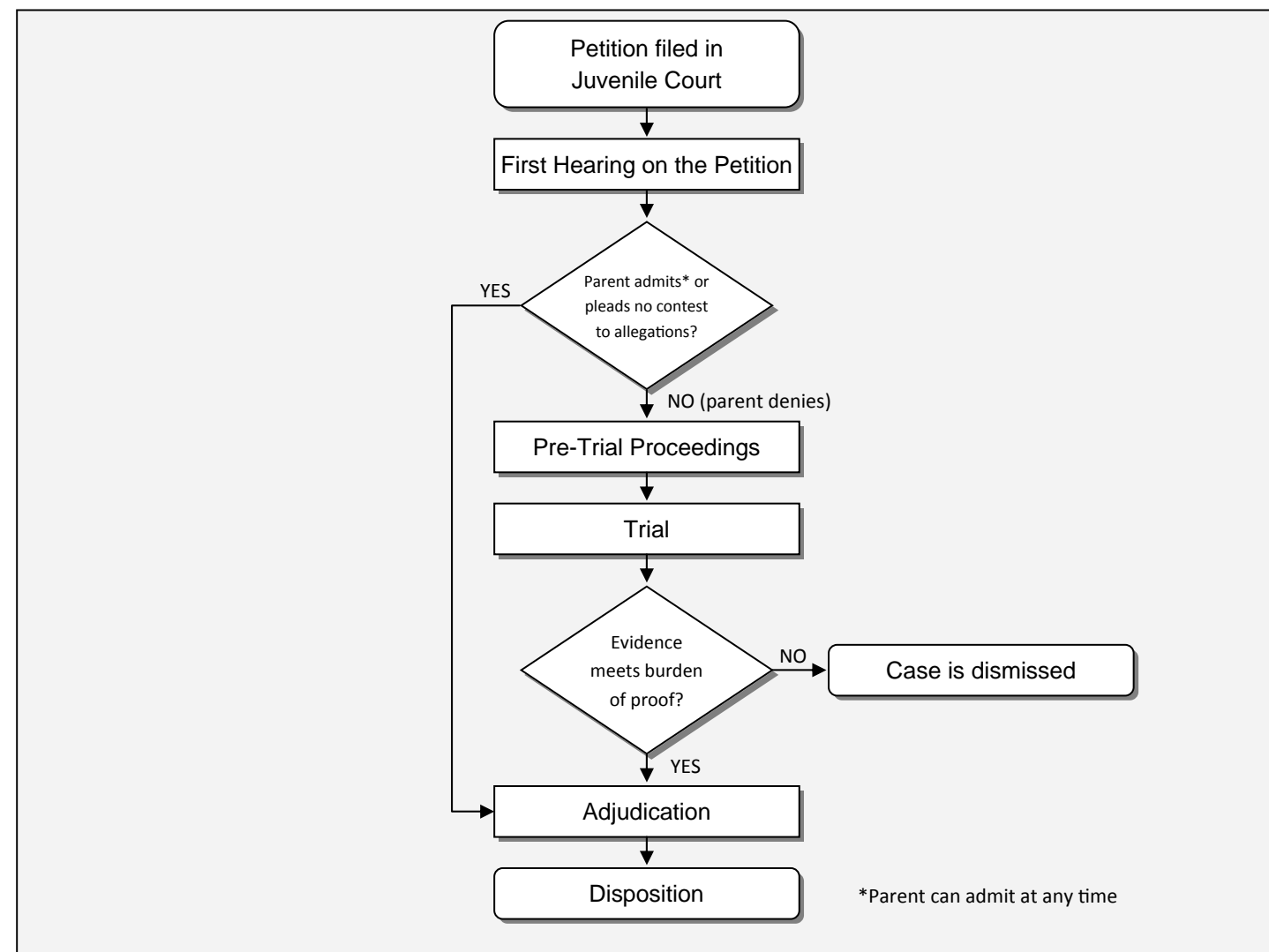
## AFFIDAVIT

INFORMATION NEEDED IN EACH TYPE OF AFFIDAVIT			
Case Background			
Legal name of child(ren)			
Age of child(ren)—include month and year			
Parents' names			
Father's status (married, acknowledgement of paternity, child support, self-identified, or unknown)			
Reasons for Affidavit			
Removal	Placement	Parenting Time	Due Diligence
Date DHHS became involved with family Information reported to DHHS How reporter knows information Dates event(s) occurred DHHS efforts to provide in-home safety Describe current safety threat(s)	Current placement New placement Why change is necessary How DHHS will ensure safety ICWA compliance	Current parenting schedule New parenting schedule Why change is necessary How DHHS will ensure safety	Efforts to locate person <ul style="list-style-type: none"> <li>Federal Parent Locator System</li> <li>Biological Father Registry</li> <li>Relative contacts</li> <li>Letters</li> <li>Phone calls</li> </ul>

- TO DO:**
- Contact the County Attorney before submitting
  - For placement and parenting time, contact all legal parties and learn their position on the request
    - County Attorney
    - GAL
    - Parent
    - Tribe
    - Parent's Attorney

Sign the affidavit before a notary

# ADJUDICATION PROCESS



# JUVENILE COURT PROCESS

STEP OF PROCESS	ASSOCIATED HEARING(S)	PURPOSE	CASE MANAGER RESPONSIBILITIES
<p><b>Disposition</b></p> <p>Working together, DHHS and the family develop recommendations for a plan to correct the behaviors adjudicated. The parties meet with the judge in the courtroom to discuss the proposed plan, and the judge orders a plan for the family.</p>	<p><b>Disposition Hearing</b>  <b>§§ 43-284; 43-285</b></p> <p>This hearing generally occurs 30 days after adjudication.</p>	<p>This hearing serves as a starting point for parents to understand the plan to correct the behavior(s) adjudicated.</p> <ul style="list-style-type: none"> <li>County attorney presents evidence (case plan and court report)</li> <li>Attorneys may ask questions</li> <li>Each parent's attorney and GAL may present evidence</li> <li>Parents and GAL are able to respond to DHHS plan to demonstrate agreement and offer different plan</li> <li>Court may approve, modify, order alternative, or implement different plan.</li> <li>Court determines placement and custody of child</li> </ul>	<ul style="list-style-type: none"> <li>Submit the case plan (CP) and court report (CR) to all parties                      Time frames:                     <ul style="list-style-type: none"> <li>Court specifies date to submit the CP and CR to all parties</li> <li>DHHS timeframes state 5 days</li> <li>Service area may have different expectations.</li> </ul> </li> <li>Provide juvenile(s) "Youth Court Questionnaire"</li> <li>Testify                             <ul style="list-style-type: none"> <li>Plan to correct behavior(s) adjudicated</li> <li>Information between the adjudication and Disposition Hearing, (e.g., Pretreatment Assessment (PTA) results, UAs, parenting time notes)</li> </ul> </li> </ul>
<p><b>Reviews</b></p> <p>Court hearings are periodically held to review the progress the parent(s) have made on correcting the behaviors adjudicated</p>	<p><b>Review Hearings</b>  <b>§ 43-1313</b></p> <p>Other names: <i>3a Review; Check Hearing</i></p> <p>These hearings are held every 6 months (or less) after the Initial Disposition Hearing.</p>	<p>DHHS shows progress made and what additional progress must be made in order to correct adjudication. DHHS presents amended plan to correct the adjudication.</p>	<ul style="list-style-type: none"> <li>Submit the case plan and court report to all parties.                      Time frames:                     <ul style="list-style-type: none"> <li>Court specifies date to submit the CP and CR to all parties</li> <li>Policy states 5 days</li> <li>Service area may have different expectations.</li> </ul> </li> <li>Provide juvenile(s) "Youth Court Questionnaire"</li> <li>Testify                             <ul style="list-style-type: none"> <li>Plan to correct behavior(s) adjudicated</li> <li>Information between the Adjudication and Disposition Hearing, (e.g., PTA results, UAs, parenting time notes)</li> </ul> </li> </ul>

# TESTIFYING TECHNIQUES

APPEARANCE	PRESENTATION
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### Eye contact

- Make consistent and suitable eye contact with examiner, family, and judge

### Posture

- Open: sit in an open position, with both feet flat on floor
- Upright: sit upright, without leaning, slumping, or twisting in chair

### Dress Appropriately

- Appropriate attire: business suit, sport coat/blazer, tailored slacks or skirt, dress shirt and tie, collared shirt; clothing is clean & neat
- Inappropriate attire: casual pants (jeans, shorts), inapt exposure (low-cut, short, or sleeveless shirt; short or high-slit skirt; sundress; exposed abdomen), athletic attire (jogging suit, sweats, t-shirt), inappropriate footwear (flip-flops, sandals, athletic shoes, hiking or work boots), hat, unclean or sloppy clothing (untucked shirt, rolled sleeves, etc.), sunglasses, unsuitable jewelry

### Avoid Distracting Behavior

- Facial expressions: pouting, grimacing, expressing shock, blinking, glaring, raising eyebrows, eye rolling
- Other behavior: tapping toe, clicking pen, chewing gum, giggling

### Voice

- Volume: speak loudly enough to be heard by everyone in the courtroom
- Pace: maintain an even pace consistent with formal public speaking
- Enunciation: enunciate clearly and use proper pronunciation
- Grammar: choose correct words and use them in grammatically appropriate ways

### Appear Confident

- Convey confidence, certainty, and assuredness (vs. apprehension, uncertainty, or doubt)

### Demonstrate Family Centered Practice

- Refer to participants by name (e.g., Mr. Smith) rather than by role (dad)
- Use "family" not "case", "children" not "kids"

### Avoid jargon or informal language

- Do NOT use technical terms or jargon OR explain technical terms or jargon
- Avoid casual language (e.g., yeah, well, ya know, like, ah, um, etc.)
- No qualifiers (e.g., I believe, I guess, I think, I feel, I suppose, honestly, to be honest, I would have to say, to tell the truth, etc.)

### Maintain Professional Composure

- Be cooperative, calm, poised, courteous, polite, and respectful
- Do NOT express anger, frustration, defensiveness, irritation, or hostility (e.g., interrupt, give abrupt responses or glaring looks, argue with examiner)
- Do NOT be cocky, arrogant, sarcastic, flippant, or condescending

### Protect reporter's identity

- Do NOT reveal reporter's identity



## LISTEN CAREFULLY

## TAKE TIME TO THINK

## GIVE COMPLETE ANSWERS



### Listen to the question

- o Refrain from answering questions not understood.
- o Seek clarification by stating, "I don't understand" and specify which part of the question is confusing (e.g., "I don't understand what you mean by custody").
- o Do NOT ask the examiner to repeat or rephrase the question.

### Listen for objections

- o Stop talking immediately when an objection is raised or when the judge interrupts
- o Wait for the ruling before responding

### Pause appropriately

- o Pause after question to form a complete answer before speaking
- o Use sentences that flow without internal pause, hesitation, or change in direction
- o Provide answers that are well thought out

### Use notes effectively

- o Do NOT refer to notes to answer questions about basic facts (e.g., the number of children, where major events occurred, etc.)
- o Do NOT look at notes for information not there
- o Quickly find necessary information in notes

### Properly refresh recollection

- o Request permission before referring to notes
- o Refer to notes to refresh memory, then turn face down
- o Wait for examiner to ask if memory is refreshed
- o Answer the questions from memory

### Use full sentences

- o Includes subject, verb and object
- o Provide answers that stand alone (provide context)
- o State facts of case in logical, organized sequence (by event, by family member, chronologically, etc.)

### Provide responsive answers

- o Provide answers that address the questions asked
- o Omit irrelevant information
- o Do not give opinions or conclusions not requested

### State reasons

- o Accurately state why allegation is in the petition or
- o Accurately state why recommendation is in the case plan/court report

### Avoid prefaces

- o Provide explanation or qualification before agreeing/disagreeing (avoid "Yes/No, but...")

### Handle challenges

- o Disagree with statements that are inconsistent with the case theory
- o Challenge alleged inconsistencies or exceptions by referring to circumstantial evidence supporting allegation or recommendation
- o Challenge or correct assumptions, mischaracterization, partial truths, or conclusions embedded in the question.

### Make concessions

- o Admit weaknesses freely and without reservation
- o Concede reasonable or obvious assertions or conclusions.

## DISPOSITION

## REVIEWS



STEP OF PROCESS	ASSOCIATED HEARING(S)	PURPOSE	CASE MANAGER RESPONSIBILITIES
<b>Permanency</b> When the court decides that a permanent, stable, and safe family situation has been achieved, the case is closed by the court and DHHS.	Case Closure Other names: <i>Review hearing</i> This hearing occurs at any party's request.	This is another type of review hearing where the court determines case closure.	<ul style="list-style-type: none"> <li>Communicate how parent(s) have corrected all behavior(s) adjudicated and are able to function without DHHS services</li> </ul>
	<b>Adoption/Guardianship</b> This hearing is scheduled by the court once the permanency plan shifts to adoption or guardianship.	This hearing occurs when reunification with either parent is not possible and: <ul style="list-style-type: none"> <li>Parent consented to guardianship</li> <li>Parent relinquished parental rights</li> <li>Court terminated parent's rights</li> </ul>	<ul style="list-style-type: none"> <li>Submit adoption/guardianship paperwork to attorneys</li> <li>Testify in support of permanency plan</li> </ul>
<b>Termination of Parental Rights (TPR)*</b> The relationship between a parent and child is severed.	<b>Hearing on Motion for TPR §43-291</b> This hearing occurs after the parent(s) have been served (personal or by publication) the motion for TPR.	Motion for TPR explained to parents. Date set for TPR Hearing unless parent indicates desire to relinquish.	<ul style="list-style-type: none"> <li>Assess need for TPR and provide information to county attorney</li> <li>Submit request to county attorney for TPR</li> </ul>
	<b>TPR Hearing §43-292</b> Other names: <i>Trial</i> This hearing is scheduled by the court. County attorney's burden of proof is clear and convincing.	Ends relationship between parent and child allowing child to achieve permanency through adoption or guardianship. County attorney presents evidence for ground(s) under 43-292 and best interests to TPR.	<ul style="list-style-type: none"> <li>Assist county attorney in preparation for TPR</li> <li>Testify</li> </ul>

\*This can occur at any stage in the Juvenile Court Process

CFSS/FPS/CFOM called as witness by county attorney

- Oath
  - Direct examination by county attorney
  - Cross examination by each parent's attorney and Guardian Ad Litem (GAL)
  - Redirect by county attorney
- \* Objections

Parent's Attorney may present evidence

Guardian Ad Litem (GAL) may present evidence

Closing statements

Judge issues ruling

## TESTIFYING TECHNIQUES

### Listen Carefully

- Listen to the question
- Clarify
- Listen for objections

### Take Time to Think

- Pause
- Refresh your memory

### Give Complete Answers

- Use full sentences
- Provide responsive answers

### Demonstrate Credibility

- Appearance
  - Dress appropriately
  - Avoid distraction behavior
- Presentation
  - Voice
  - Avoid jargon or informal language
  - Maintain professional composure
  - Protect reporter's identity



## PRE-HEARING

### Being Called as a Witness – How will I know I am expected to testify?

- Court documents
  - Court order
  - Subpoena
- Phone call

### Prepare for Court – How do I prepare to testify?

#### Prepare yourself

- Review the facts
- Review documents
- Understand the position of DHHS
- Training and Work Experience

#### Communicate with examiner

- Why am I being called?
- What subjects will be addressed?
- What documents do I need to bring?
- Who might cross-examine me?

#### Communicate with other counsel

## HEARING PROCESS

### Hearing

- Arrive early
- Opening statements
- County attorney presents the State's case

## PERMANENCY

Case Closure

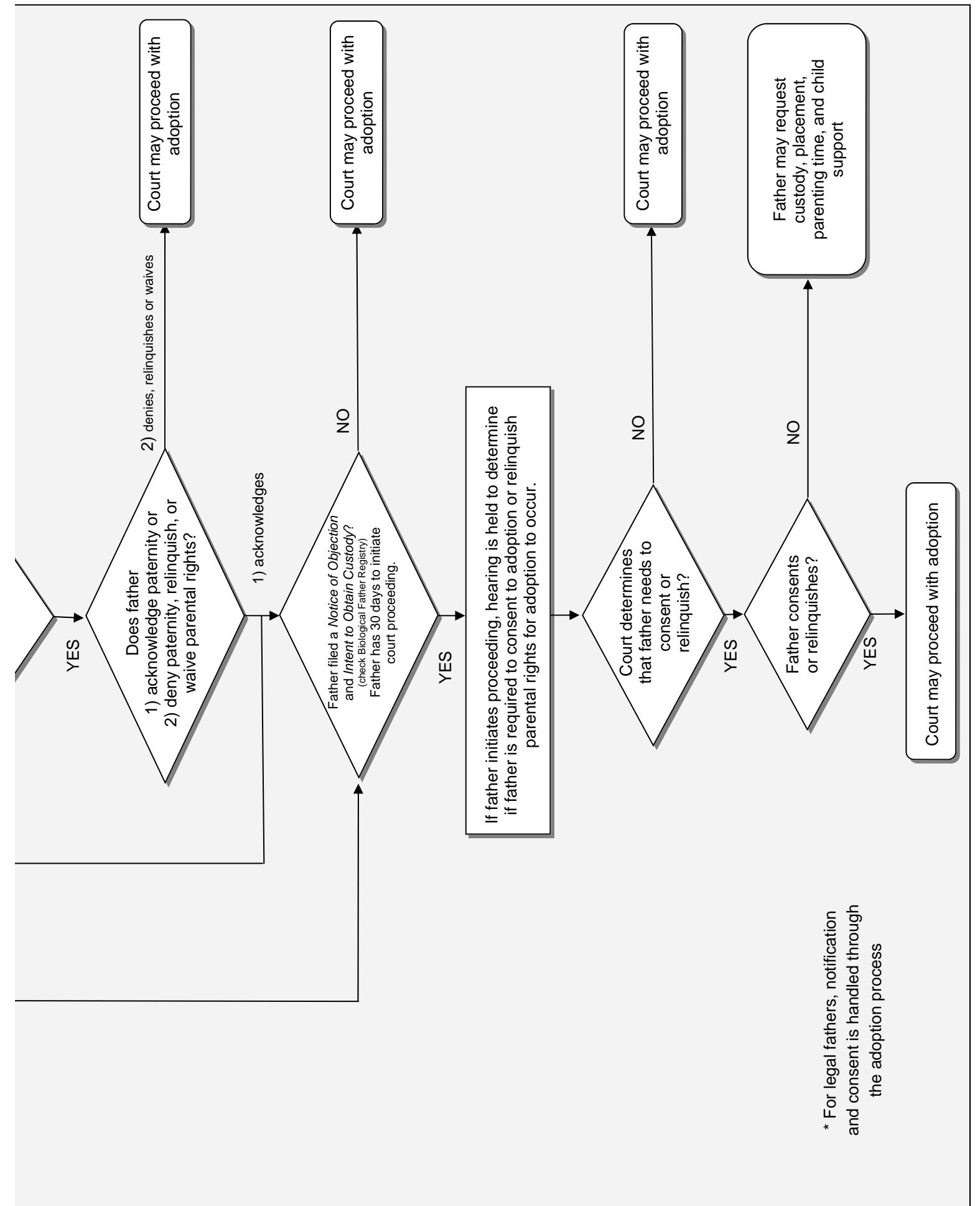
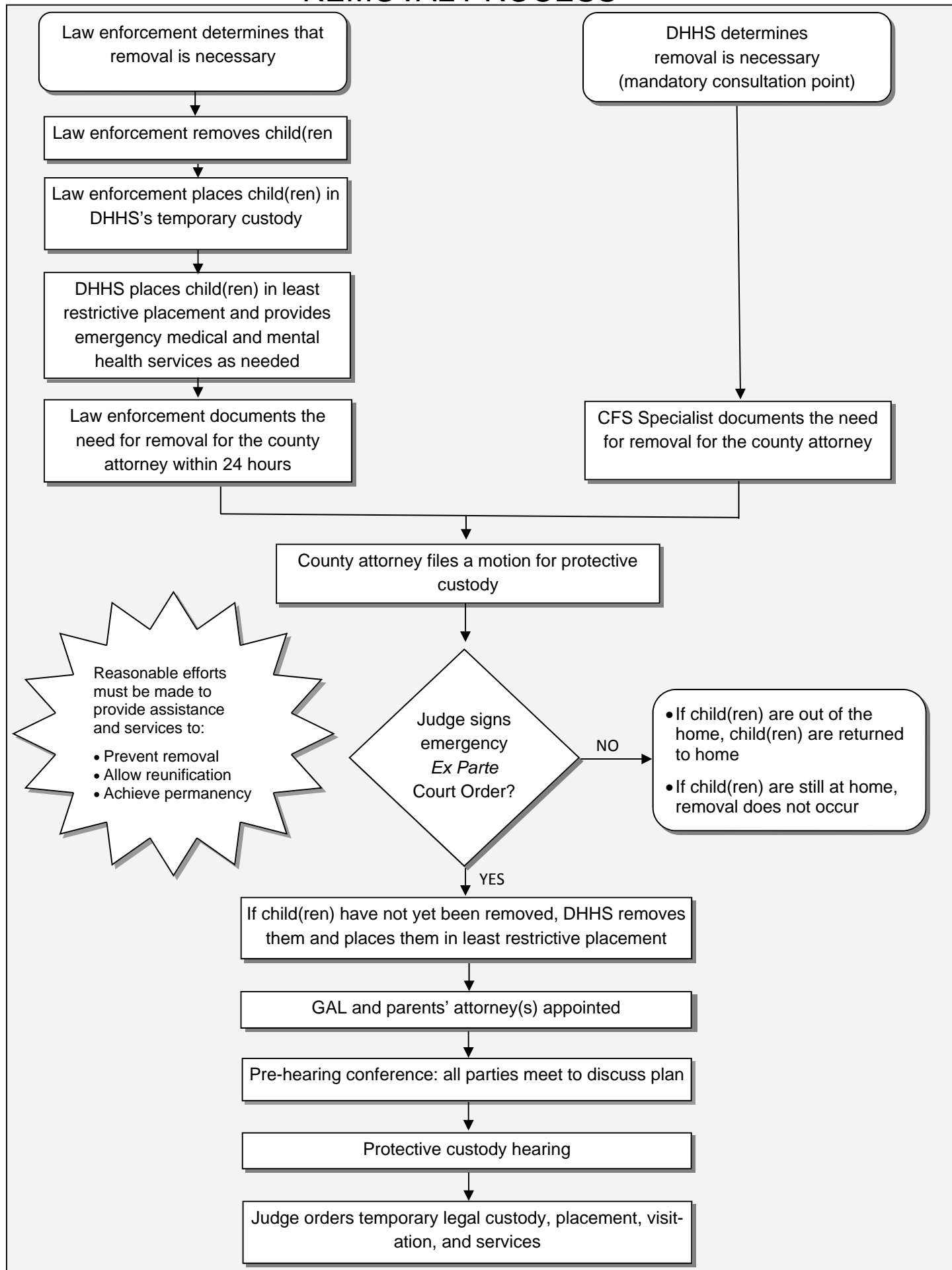
Adoption/Guardianship

## TERMINATION OF PARENTAL RIGHTS

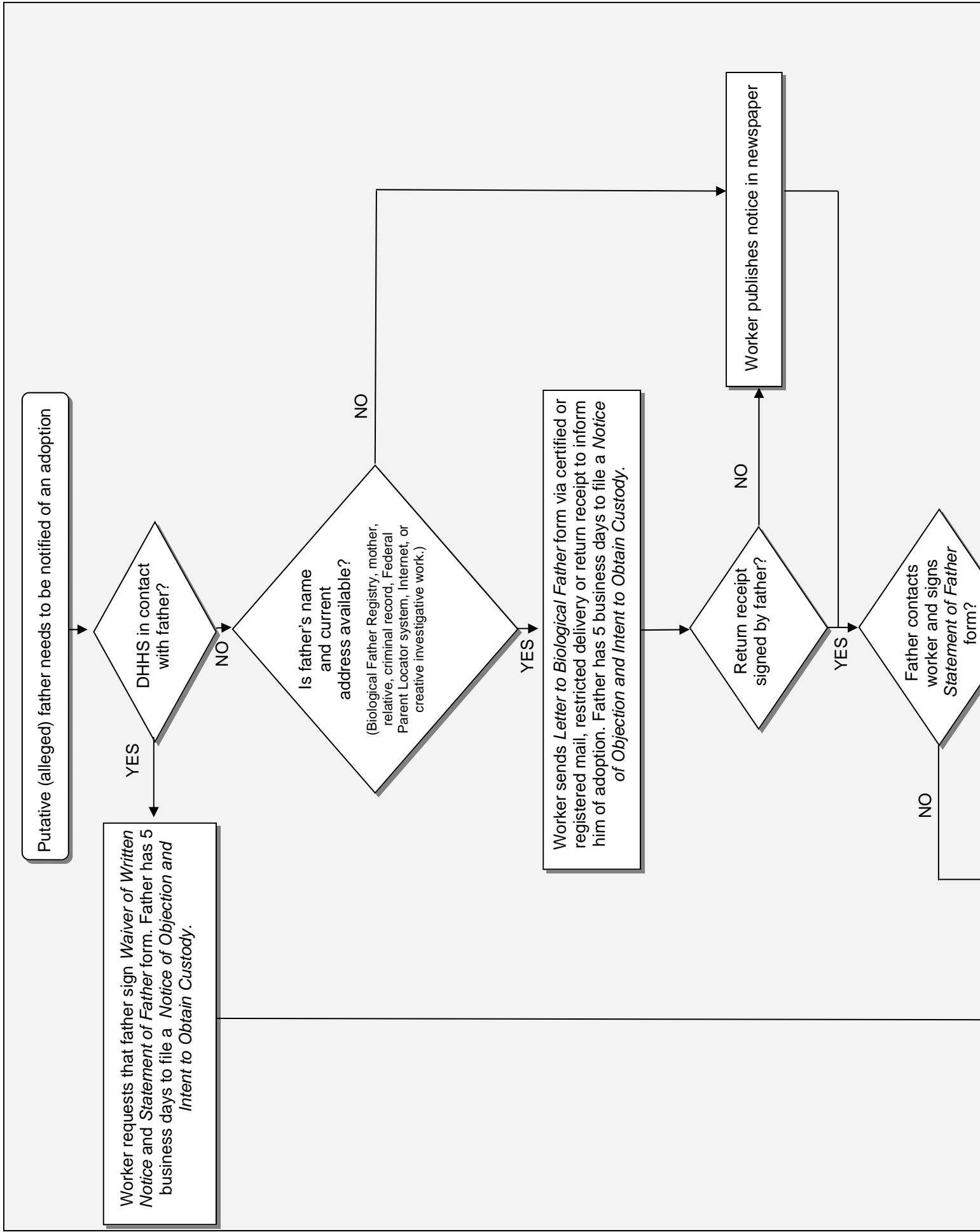
Hearing on Motion

TPR Hearing

# REMOVAL PROCESS



**NOTIFY THE ALLEGED\* FATHER OF AN ADOPTION**



**JUVENILE COURT PROCESS**

STEP OF PROCESS	ASSOCIATED HEARING(S)	PURPOSE	CASE MANAGER RESPONSIBILITES
<b>Removal*</b> The state obtains legal custody of the child(ren) and determines physical placement (in or out of the home).	<b>Protective Custody Hearings</b> <b>§43-254</b> Other names: <i>Temporary Legal Custody Hearing, TLC, Detention Hearing, Removal Hearing</i>	Assures that the removal of the child was and continues to be necessary. Parents may challenge removal.	<ul style="list-style-type: none"> <li>Participate in prehearing conference</li> <li>Provide addresses of parent(s) to the county attorney</li> <li>Provide information on any possible fathers (see flow chart on page 13)</li> <li>Testify to reasons for removal and reasonable efforts to reunify the family</li> <li>Utilize <i>Removal Checklist</i></li> </ul>

\* This can occur at any stage in the juvenile court process

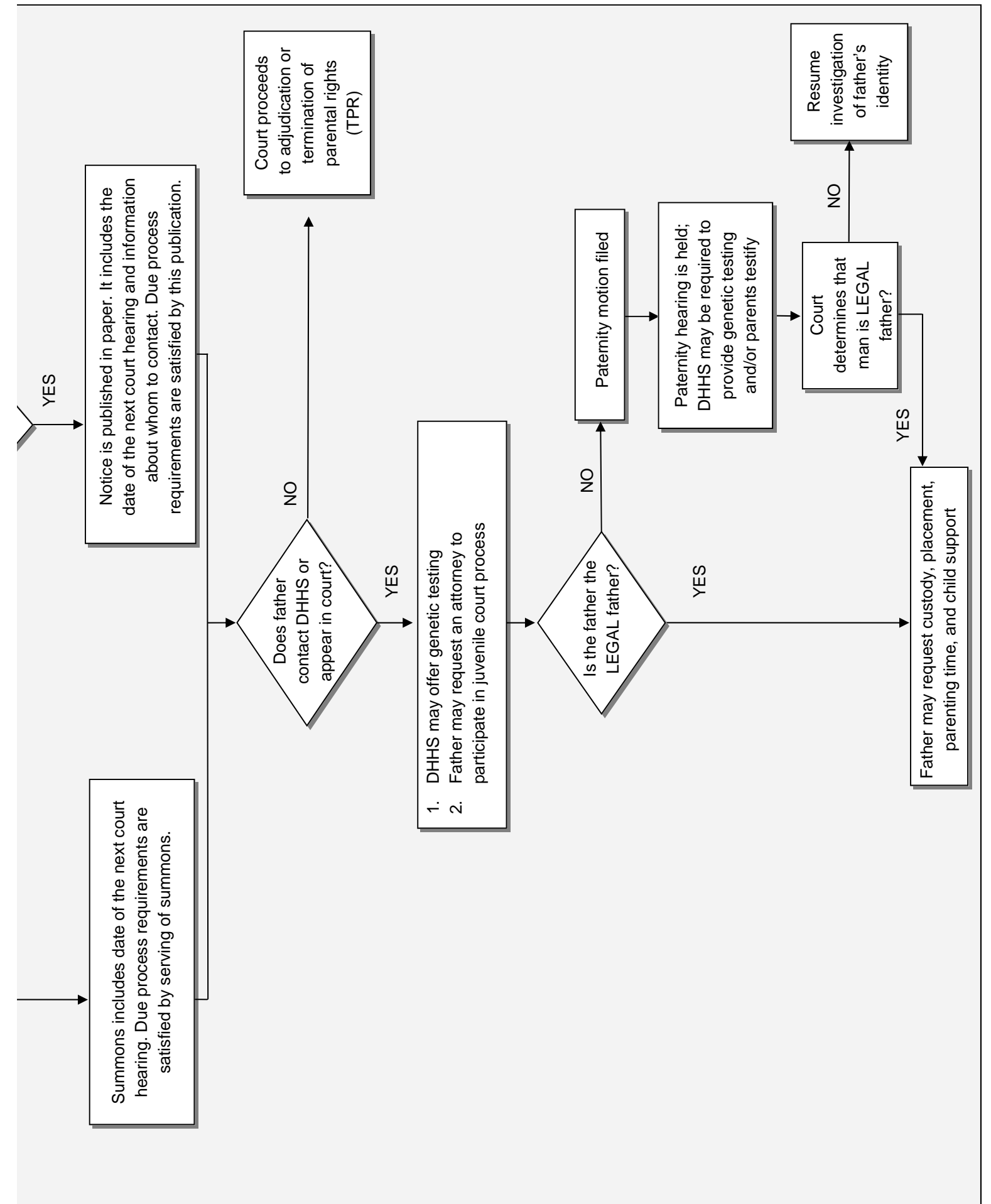


# REMOVAL CHECKLIST

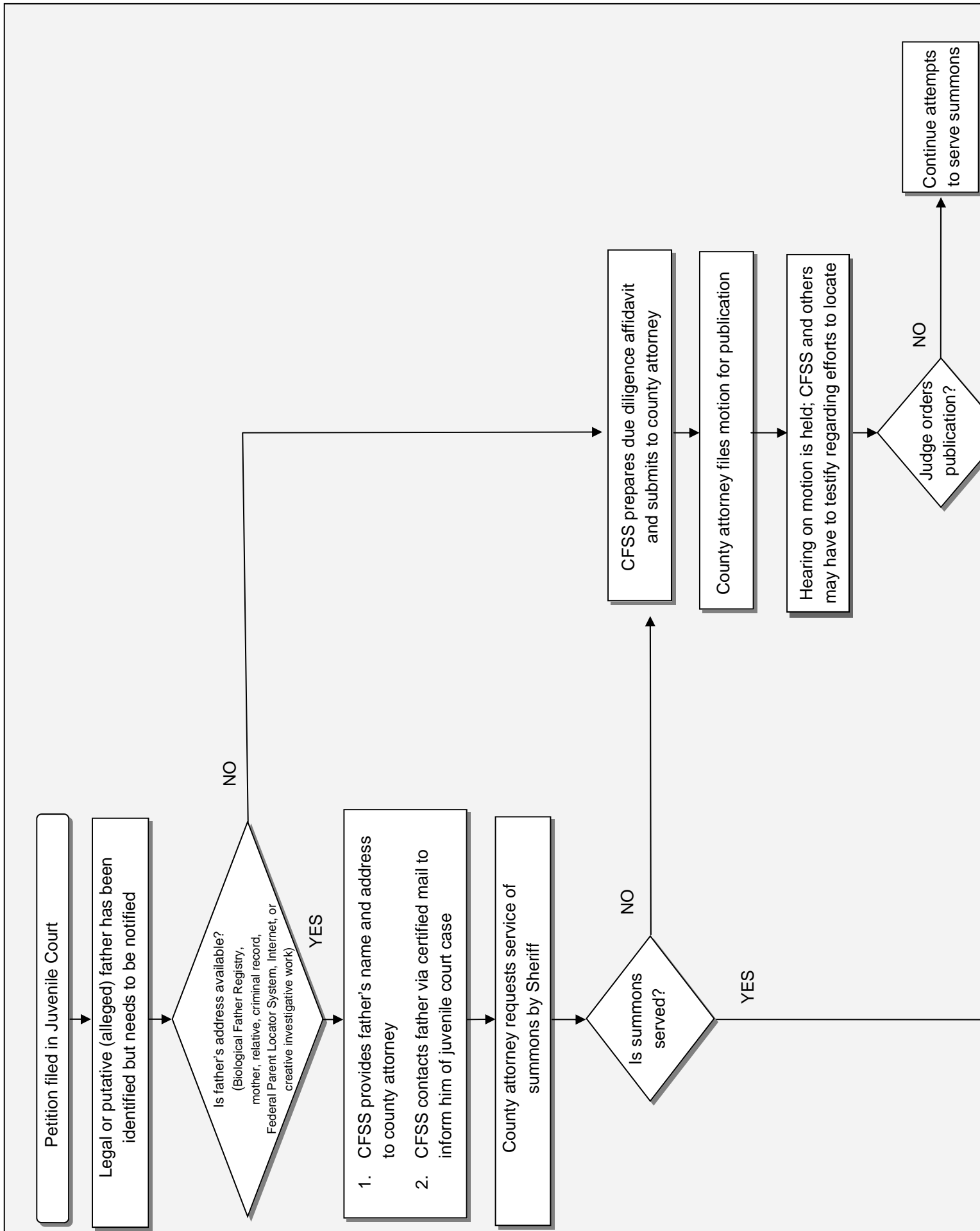
Juvenile Court Requirements when DHHS has Legal Custody

Caseworkers should be prepared to answer and discuss every item on the checklist at the Protective Custody Hearing

Questions	Done?	Reasoning If no, explain reasoning
Was juvenile court process explained to parent(s)?	<input type="checkbox"/>	<input type="checkbox"/>
<b>PLACEMENT</b>		
Was custodial parent considered for placement?	<input type="checkbox"/>	<input type="checkbox"/>
Has father been identified (through marriage, birth certificate, acknowledgment of paternity, child support, or other court order) and notified of juvenile court action?	<input type="checkbox"/>	<input type="checkbox"/>
Was non-custodial parent considered for placement?	<input type="checkbox"/>	<input type="checkbox"/>
Was child placed with a relative (including relatives outside the state)?	<input type="checkbox"/>	<input type="checkbox"/>
If child is placed outside state, was an Interstate Compact for the Placement of Children (ICPC) completed?	<input type="checkbox"/>	<input type="checkbox"/>
Were kinship placements considered?	<input type="checkbox"/>	<input type="checkbox"/>
Were siblings placed together?	<input type="checkbox"/>	<input type="checkbox"/>
If siblings were not placed together, has sibling visitation been provided (outside of parenting time)?	<input type="checkbox"/>	<input type="checkbox"/>
<b>PARENTING TIME</b>		
Was parenting time offered within 72 hours from removal?	<input type="checkbox"/>	<input type="checkbox"/>
Were <i>Parenting Time Guidelines</i> utilized? Access Guidelines here: <a href="http://www.throughtheeyes.org/files/Yellow_Box_Parenting_Time_Guidelines.pdf">http://www.throughtheeyes.org/files/Yellow_Box_Parenting_Time_Guidelines.pdf</a>	<input type="checkbox"/>	<input type="checkbox"/>
Was the duration, level of supervision, and logistics of parenting time explained to parent(s)?	<input type="checkbox"/>	<input type="checkbox"/>
<b>CHILD WELL-BEING</b>		
Was a medical exam arranged for child within 14 days?	<input type="checkbox"/>	<input type="checkbox"/>
Have prescriptions and over-the-counter medications been continued?	<input type="checkbox"/>	<input type="checkbox"/>
If appropriate, were mental health services offered?	<input type="checkbox"/>	<input type="checkbox"/>
For children under 3, was an early intervention evaluation offered?	<input type="checkbox"/>	<input type="checkbox"/>
Does each child attend their school of origin?	<input type="checkbox"/>	<input type="checkbox"/>
Have each child's activities been maintained?	<input type="checkbox"/>	<input type="checkbox"/>
<b>ICWA</b>		
Did you ask the family if child is member or could be a member of an Indian Tribe?	<input type="checkbox"/>	<input type="checkbox"/>
If ICWA applies: o Have you identified an expert witness for the Protective Custody Hearing?	<input type="checkbox"/>	<input type="checkbox"/>
o Were placement preferences followed?	<input type="checkbox"/>	<input type="checkbox"/>
<b>FOREIGN NATIONAL MINORS</b>		
If child has citizenship with another country, did you notify the proper parties?	<input type="checkbox"/>	<input type="checkbox"/>



NOTIFY THE FATHER OF A JUVENILE COURT ACTION



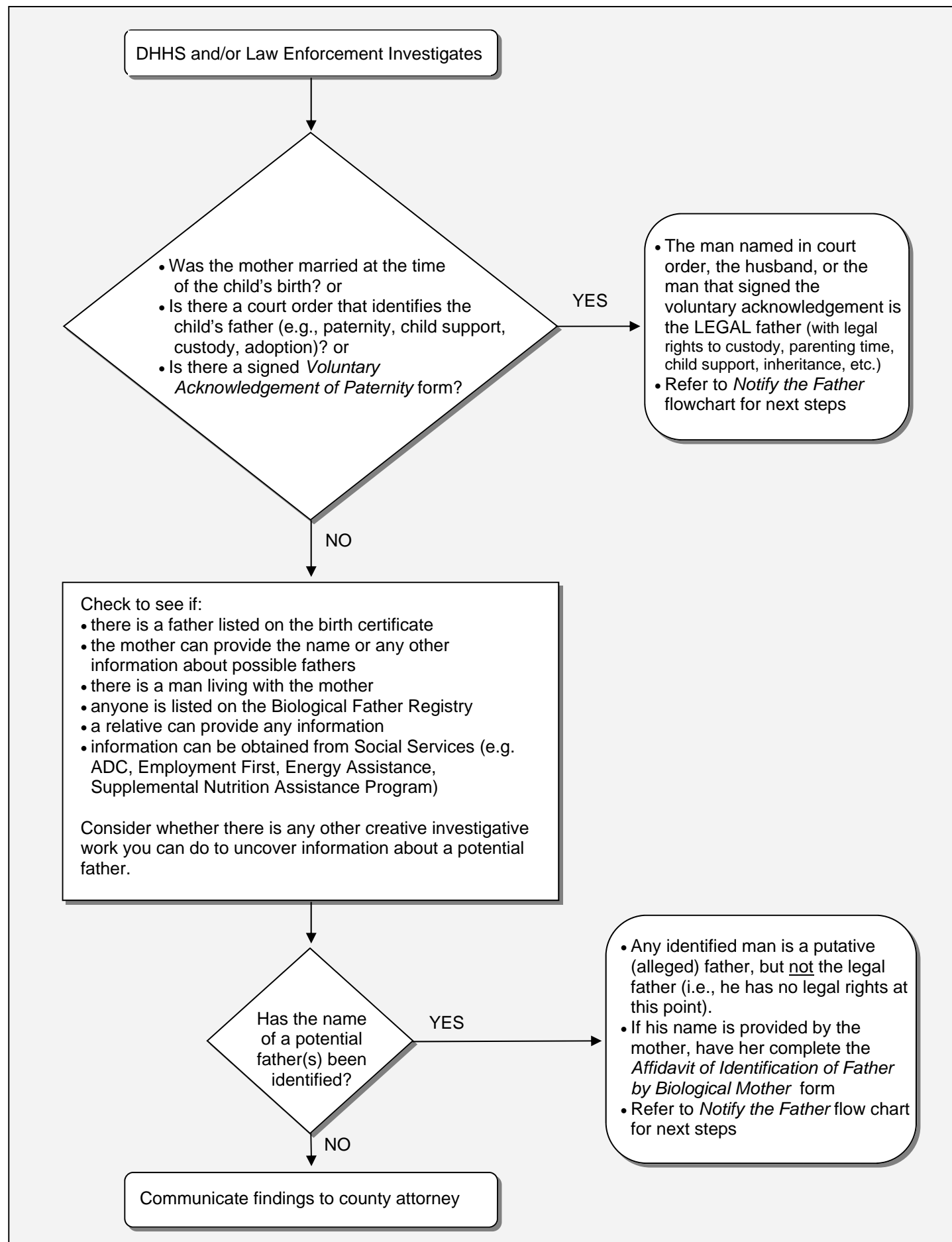
JUVENILE COURT PROCESS

STEP OF PROCESS	ASSOCIATED HEARING(S)	PURPOSE	CASE MANAGER RESPONSIBILITIES
<b>Removal*</b>  The State obtains legal custody of the child (ren) and determines physical placement (in or out of the home).	<b>Placement Change Hearing</b>  <b>§43-285(3)</b>  This hearing may occur when a party requests a change in placement. Worker must give parties 7 days notice if change is NOT an emergency.	This hearing generally occurs when a party disagrees with a placement change. The party requesting the change in placement must provide evidence in support.	<ul style="list-style-type: none"> <li>• Draft affidavit or notice(per local rules) explaining why the child's placement is changing and where the child is being placed</li> </ul>
	<b>12 months</b>  <b>§43-1312</b>  Other names: <i>Permanency</i>  This hearing occurs when a child has been in foster care for the last 12 months.	Court assesses the appropriateness of the permanency plan.	<ul style="list-style-type: none"> <li>• DHHS prepares permanency report recommending whether and when child can be reunified with parent</li> <li>• TPR filed</li> <li>• Adoption or guardianship filed</li> <li>• DHHS can provide compelling reason why child should remain in foster care</li> </ul>
	<b>15/22</b>  <b>§§292.02;43-292.03</b>  Other names: <i>Exception Hearing</i>  This hearing occurs within 30 days of a child being in foster care for the last 15/22 months.	Court determines if the State should file TPR.	<ul style="list-style-type: none"> <li>• DHHS recommends if TPR should be filed or if there is an exception under 43-292.02(3)</li> <li>• DHHS can provide compelling reason not to file TPR</li> </ul>

\*This can occur at any stage in the juvenile court process



# IDENTIFY THE FATHER



# IDENTIFY THE FATHER



## IDENTIFY THE FATHER AND NOTIFY THE NON-CUSTODIAL PARENT