

## Probable Cause Hearing

**Purpose:** To determine if probable cause to issue an emergency order existed at the time of its issuance and whether probable cause to protect the juvenile continues to exist.

1. Would you state your name?
2. Where are you employed?
3. What is your position with DHS?
4. How long have you been in that position?
5. What is your affiliation with this case?
6. When was the juvenile removed?

Depends on situation for following questions.....

**Situation #1:** Emergency removal with no prior dealings with family.

1. Would you explain the emergency situation which necessitated the removal of the juvenile from mother/father/both?
2. Were there any preventive services that could have been offered at the time which would have prohibited the removal of the juvenile?

**Situation #2:** Support/Protective services have been provided but haven't worked.

1. Has DHS previously been involved with providing services to this family?
2. How long has DHS been involved with this family? (State the date services began)
3. What services have been provided since....? (be specific, explain every effort that has been provided since the first date of contact with the family)
4. Did these services prevent the ultimate removal of the juvenile?
5. Why didn't these services prevent removal?
6. Why? (Explain the situation that caused you to remove the child)
7. What concerns do you currently have that lead you to believe that the emergency condition that existed when you originally removed the juvenile continues so that it is necessary for the juvenile to remain in DHS custody?
8. Do you have any recommendations in regards to visitation and/or custody of the juveniles and any family members?
9. Have the parents provided you with a permanent mailing address for future contacts and notifications?
10. Have the parents provided you with any names, address, and phone numbers of any relative that could serve as a potential relative placement?
11. Have you received any information regarding any putative fathers?
12. Is anyone involved a member/descent from an Indian tribe?

### Adjudication/Disposition Hearing

**Purpose:** To determine whether the allegations in the petition are substantiated by the evidence. We must prove that as the result of maltreatment or parental unfitness, the juvenile is at substantial risk of serious harm.

1. Would you state your name?
2. Where are you employed?
3. What is your position with DHS?
4. How long have you been in that position?
5. What is your affiliation with this case?
6. Will you explain the situation that led to the removal of the juvenile?
  - Emergency situation
  - Have been providing services such as (be specific)
7. How did you react? (removed juvenile, placed in foster care, conduct investigation but don't explain investigation (refer to question #9), etc....)
8. As the FSW (supervisor) have you been trained to perform dependency-neglect investigations? (explain your training)
9. Did you conduct an investigation in this case?
10. Who did you question?
11. What testimony did mother/father/counselor/juvenile provide?
12. Did you document any of the evidence? (pictures, reports ....depending on answer we will have to follow up with questions to prove authenticity of documents)
  - Do you recognize the pictures? Are these the pictures you took on \_\_\_\_\_?
  - Do these pictures accurately depict the injuries you observed on \_\_\_\_\_ (Date)
13. Since the probable cause hearing, have you had a chance to sit with the family and develop a case plan?
14. If yes...then please explain (visited with family on \_\_\_\_\_ date, who signed, what are some of the contents, do you feel it is appropriate for this case)  
If no....Has a goal been determined in this situation (plan A)? What is the concurrent plan (plan B)?
15. Do you have any recommendations regarding custody and placement of the juvenile, services for the family, visitation?

Juvenile ordered to: Parents ordered to: DHS ordered to: Educational issues:

Disposition (9-27-334/9-27-335):

### Review Hearing

**Purpose:** To review the case to determine the future status of the juvenile. The Court shall project a date for the juvenile to return home or for other alternatives and what those alternatives are.

\*\* The hearing shall be held within six (6) months after the original out-of-home placement and every six (6) months thereafter while the juvenile is in an out-of-home placement; except after the TPR, they shall be held every three (3) months.

1. Would you state your name?
2. Where are you employed?
3. What is your position with DHS?
4. How long have you been in that position?
5. What is your affiliation with this case?
6. Did you assist the family in developing a case plan? (When, where, who else was present)
7. Is the case plan moving towards an appropriate permanency plan for the juvenile?
8. What is the current goal in this case? What is the concurrent goal?
9. Explain how the case plan/services/placement been serving the needs and best interest of the juvenile ...specifically, in regards to their health, safety, and educational needs?
10. What reasonable efforts (specific services) have you (DHS) provided to reach the current goal of \_\_\_\_\_?
11. Have the parents complied with the previously mentioned case plan? (be specific...yes, no, partially ...list dates they have completed or failed specific requirements ...ex. Failed drug test 3 times on which dates, completed parenting classes on which date, has been receiving counseling where and how many times)
12. What is the current visitation schedule between the juvenile and the parents? Between the siblings?
13. Do you have any other reports/recommendations to offer today?

Juvenile ordered to:

Parents ordered to:

DHS ordered to:

## Permanency Planning Hearing

**Purpose:** To determine a permanency goal in accordance with the child's best interest. Occurs when a juvenile has been in an out-of-home placement for twelve (12) months.

1. State your name.
2. Where are you employed?
3. What is your position with DHS?
4. Would you describe your responsibilities with that position?
5. How long have you been in that position?
6. What is your affiliation with this case?
7. So are you familiar with the case?
8. When was it initiated?
9. How long have you been the assigned worker?
10. What is the current goal of this case? And the concurrent plan?
11. Would you identify the mother/father and tell us about their residence (where do they currently live and how many times have they moved throughout the case), their employment (length at current job and number of jobs during case)?
12. Would you tell us about the children's placement? (length and number of moves during case and why)
13. Have there been any trial placements with the parents? (successful/unsuccessful and why)
14. What has the visitation schedule been in regards to the parents/siblings?
15. Have there been any transportation issues?
16. Would you describe/discuss the case plan/goals/orders for parents?
  - counseling (when, where, why, ongoing/completed, efforts by DHS to help)
  - psychological evaluation(when, where, why, completed) drug/alcohol assessment (did parent's corporate, is it completed) random drug testing (when ordered, how often tested/specific dates, results)
  - NA/AA meetings (proof of attendance, effort by DHS to arrange) parenting classes (when referred, hours required, parent's cooperation, documentation of completion)
  - child support (when ordered, amount, how often, payments by parent, arrearages)
  - Other services offered ....have parents complied or not.
17. What is your belief as to any substantial measurable progress made by the parents during this case/with this case plan/with the courts orders?
18. What is your opinion as to whether the parents have diligently worked towards reunification (or other goal)?
19. What is the length of time the children have been out of the parent's custody?
20. What efforts have been made to develop a permanency plan in this case?
21. What is the DHS recommendation regarding the goal of this case/visitation? (if it is return to parents ...what is the safety plan)
22. What has the concurrent plan throughout this case been?

## **Permanency Options (order of preference)**

1. Placing custody of the child with a fit parent –If child's health and safety can be adequately protected;
2. Returning the child to the guardian or custodian from whom the child was initially removed;
3. Continue working toward reunification only if:
  - Parent is complying with case plan and court orders and making significant measurable progress toward reunification, and
  - Reunification can occur within the time frame consistent with the child's developmental needs.
4. Adoption/TPR -unless:
  - Child is in a relative placement and TPR is not in child's best interest
  - There is a compelling reason why filing a TPR petition is not in the child's best interest
  - DHS failed to provide services
5. Guardianship
6. Permanent Custodian
7. Another planned permanent living arrangement only if:
  - Child cannot be reunited with family;
  - Another permanent plan is not available; and either...
    - A compelling reason exists why termination of parental rights is not in the child's best interest, or
    - The child is being cared for by a relative and termination of parental rights is not in the best interest of the juvenile.

## Termination of Parental Rights Hearing

**Purpose:** To provide permanency in a child's life where returning home is contrary to the child's health, safety, or welfare and cannot be accomplished in a reasonable period of time, as viewed from the child's perspective and to clear the child for permanent placement.

1. State your name.
2. Where are you employed?
3. What is your position with DHS?
4. What are your responsibilities in that that position? Gob description)
5. How Jong have you been in that position?
6. What is your affiliation with this case?
7. How Jong have you been assigned the worker in this case?
8. When was the case originated?
9. Has the juvenile been adjudicated dependent-neglect? When? Bases for adjudication?
10. What is the current goal of this case?
11. Did the parents participate in the development of the case plan?
12. Did the court approve the case plan? (when)
13. Has the case plan/goal ever been changed? (when and why)
14. Did the court approve the new case plan/goal? (when)
15. During this case have there been any trial placements with the parents?  
(successful/unsuccessful and why)
16. What has been the visitation schedule? (have the parents missed/been tardy any visits, has the family bonded during these visits, type of interaction)
17. Would you describe/discuss the case plan?
  - Counseling (where, when, why, ongoing/completed)
  - Psychological evaluations (completed?, recommendations)
  - Drug/alcohol assessments (when, why, completed, recommendations, complied?)  
random drug testing (when ordered, how often/specific dates, results)
  - NA/AA meetings (documentation of attendance, how often attended) parenting classes  
(when, hours required, parent's cooperation, documentation)
  - Child support (when ordered, amount, how often, payment by parents, documentation,  
arrearages)
  - Other services provided ...have the parents complied

**\*\*these questions will mainly be asked of the adoption specialist, but you should also be prepared to answer....**

18. \*\*Potential for adoption?
19. \*\*Any factors existing to prohibit adoption? Any factors in favor of adoption?
20. \*\*Are you aware of whether potential adoptive placement has been identified pursuant with the concurrent plan?

21. What is your opinion regarding any substantial measurable progress made by the parents in this case?
22. What is your opinion as to whether the parents have diligently worked towards reunification?
23. Have the parents shown a genuine, sustainable investment in complying with the case plan/goals/court orders?
24. Have there been any significant changes in the parents' situation from the beginning of the case?
25. What is the length of time that the children have been out of the parent's custody?
26. What is the department's recommendation regarding the permanent plan for this case?  
What is the recommended goal of this case?

**\*\*When preparing for TPR hearings be sure to ask what county/state the children were born in.**