Child Welfare Court Process

Quick Guide For Families

CWCP QUICK GUIDE

THE PRIMARY GOAL IS THE SAFETY OF THE CHILD

Below is brief overview of the steps involved in the Nevada Child Welfare Court Process. **Ideal outcomes preserve and reunify the family by making it possible for the child to be safe at home.** Parent/Caregiver commitment to completing the requirements of their individualized **Case Plan** is **crucial** to helping that outcome become a reality.

NOTE: NOT EVERY ITEM SHOWN WILL APPLY IN EVERY SITUATION.

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1 This hearing is held within 3 business days of child being removed from home. The court determines if child can be returned home. If child must remain out of home, a petition alleging child abuse/neglect must be filed within 10 days of Protective Custody Hearing.

3 Parent/Party may choose to change plea to petition allegations or court will hear evidence.

A. If court finds child does not need protection, case is closed and child goes home.

B. After reviewing evidence, if court finds child needs protection, child remains under the care of the Agency*.

7 Any party may request a hearing to review the status or progress on a case requiring a court decision.

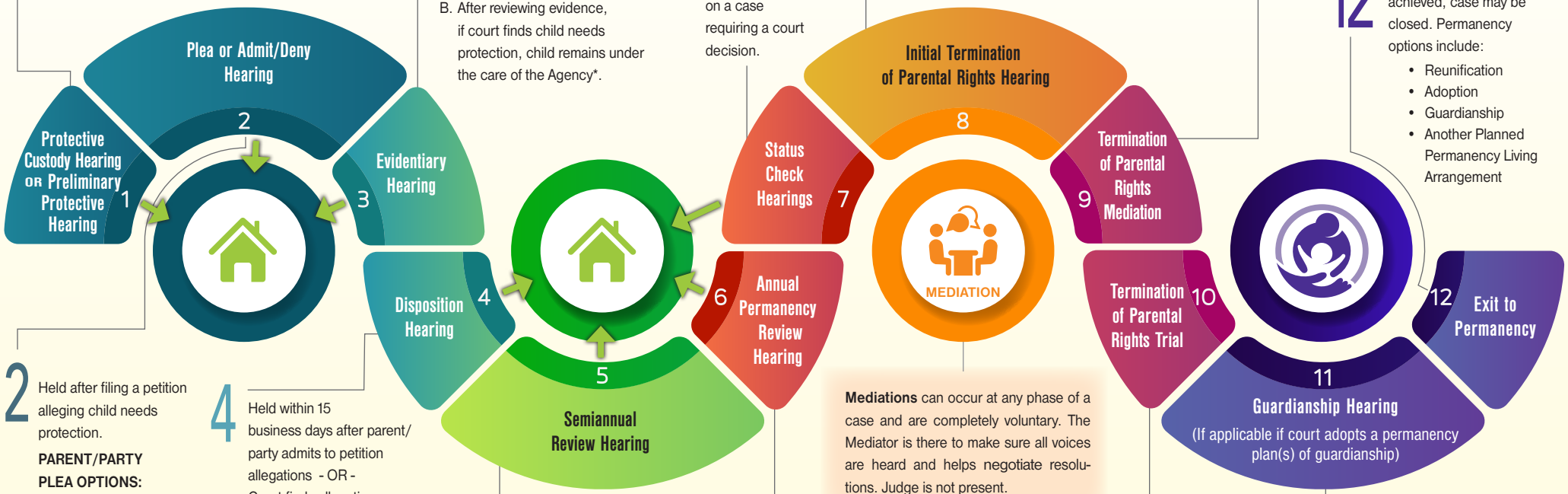
8 This hearing occurs if court changes permanency plan(s) to TPR/Adoption. Parent must attend this hearing in person and may choose to:

- Request a trial to contest Termination of Parental Rights.
- Indicate desire to relinquish parental rights *(with or without an open adoption agreement, if applicable).*

9 Mediations are often scheduled at this stage to negotiate an open adoption agreement when a parent is considering relinquishing parental rights.

12 Once permanency is achieved, case may be closed. Permanency options include:

- Reunification
- Adoption
- Guardianship
- Another Planned Permanency Living Arrangement



2 Held after filing a petition alleging child needs protection.

PARENT/PARTY PLEA OPTIONS:

A. **Admit** to allegations or **Submit/Plead No Contest** (go to 4)

–OR –

B. **Deny** allegations and ask for an **Evidentiary Hearing** (go to 3)

4 Held within 15 business days after parent/party admits to petition allegations - OR - Court finds allegations are true and child needs protection.

Parent works with Agency* prior to this hearing to prepare a **Case Plan** which is presented to the court for approval.

5 Held 6-months from when child was removed from home and every 6-months thereafter until case is closed (held more often in some courts)

During this hearing, court reviews child's placement, visitation and parent/caregiver progress on **Case Plan.**

6 Held 12-months from when child was removed from home and every 12-months thereafter until case is closed. Court reviews same items listed in Step #5 plus approval of permanency plan(s) for child, which may include: reunification, adoption, guardianship or other planned permanent living arrangement.

Mediations can occur at any phase of a case and are completely voluntary. The Mediator is there to make sure all voices are heard and helps negotiate resolutions. Judge is not present.

10 Court hears witness testimony and other evidence to determine if parental rights should be terminated.

11 Parent/Party may either consent to or oppose the petition for guardianship.

If parent opposes petition: Court may schedule a new **Evidentiary Hearing** to determine if guardianship is necessary

Every effort is made to place a child with a suitable relative or close family friend who the child knows.

Arrows pointing to a house indicate times where it may either be determined the child can be returned home with a **Safety Plan** in place, or where the case may be closed and family is reunified.

*Agency = Child Welfare Agency

MORE DETAILS ABOUT EACH STEP CAN BE FOUND ON THE BACK.