

Juvenile Dependency Handbook



Juvenile Dependency is designed to ensure child(ren) have a safe home. If they were removed from the home, you will need to follow the court process to demonstrate that your child(ren) can safely return home. The Judge makes decisions intended to keep children safe, to help families create a safe home for their children, and to ensure that both families and children receive the help they need.

This handbook is designed to help you:

- Stay organized with case information
- Understand your rights and responsibilities
- Know what to expect in future hearings
- Follow the court process so you can be engaged throughout

Understanding what is happening helps parents feel more hopeful and open-minded to work towards healing their families.

Important Case Information:

Case Number(s): _____ Other Contacts: _____

Lawyer Name: _____

Lawyer Phone: _____

ODHS Caseworker: _____

ODHS Caseworker Phone: _____

Your Child's Lawyer: _____

Child's Lawyer Phone: _____

Court Appointed Special Advocate (CASA): _____

CASA Phone: _____

The goal of the Court is to keep children safe and help families create a safe home for their children.

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How Do You Get Your Child Back Home?

- Children need a permanent, safe, and loving family. When children are removed from their homes, it is best for them to return as soon as possible. For your child to be returned to you, you must make your home safe and ensure proper care of your child.
- Follow the steps in the Oregon DHS Case Plan, including getting any services required. This plan is an agreement between you and DHS. *Services* is the term for any activity that DHS uses to meet the needs of children and parents. Examples include counseling, drug treatment, food stamps, and classes such as anger management, parenting, and life skills.
- If you believe that your children should not have been removed from your care, you should discuss this matter with your attorney to see what options you should pursue.
- Ultimately if children cannot safely return to their families, another permanent, safe home will be found for them – oftentimes through adoption or guardianship.

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How Do You Get a Lawyer?

You have the right to have a lawyer.

- At your first appearance in court the judge will appoint an attorney to represent you at no cost
- If at any point in your case you do not have a lawyer, you can request one through the Juvenile Court, located at the Juvenile Justice Building (609 W 10th Street, Medford Oregon), by coming to the lobby reception window and filling out paperwork
- You may request a change of lawyer if you do not think you are receiving good counsel and the judge will then decide yes or no

Call the Juvenile Court at (541) 776-7171 Ext. 35040 for information about your attorney appointment or information on how to get a lawyer appointed to you on your case.

Tips for Working with Your Lawyer:

Ask your lawyer to explain the names used for the hearings, the timeframes, and the purpose of each hearing.

Your lawyer should do the following:

- meet with you before every hearing and represent your interests in court
- gather information that supports your position
- help you understand your rights
- let you know the time and place of each hearing
- tell you what to expect at each hearing
- explain child welfare laws that apply to you and your family

Talk with your lawyer about what you want to be said in the hearing. If you want to speak yourself, be sure that your lawyer knows this and arranges for you to have your say.

If you believe that someone is saying things in court about you or your family that are not true, let your lawyer know.

If you are confused about what took place in court, be sure to ask your lawyer to explain it to you.

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Your Rights:

1. You have the right to a lawyer. If you cannot afford to pay for a lawyer, the Judge will appoint a lawyer to represent you.
 2. You have the right to admit, deny, or enter a plea of “no contest” of the allegations made about you and your family.
 3. You have the right to be notified of all court hearings. You must keep your lawyer and the court informed if you move. Your lawyer cannot notify you of court hearings unless she/he knows your current mailing address.
 4. You may have an interpreter appointed by the court if you do not understand English.
 5. You may request other ADA accommodations.
 6. You have the right to talk to your caseworker and your lawyer. But remember, they may be busy with someone else when you call. Be sure to leave a message with a phone number and time where you can be reached or call them again. Keep track of the best times to call them.
 7. You have the right to family time with your child(ren) unless the court directs otherwise.
 8. You have the right to Appeal the Court’s decision within the allowed timeframe.
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Your Responsibilities:

1. Take this seriously. You are ultimately responsible for the outcome of your case.
2. Attend all court hearings.
3. Stay in touch with your lawyer and caseworker. Be sure they always have a current address and telephone number for you.
4. Attend Family Engagement Meetings, Family Decision Meetings (FDM), Citizen Review Board meetings, and any other meetings about your case.
5. Follow through on court ordered services and do what the case plan says you have to do. If you do not understand what is required, ask your lawyer to explain what you need to do.
6. Be sure that you know what you are supposed to do and when, and then do it. Things move very quickly in dependency cases. It could make a difference in whether your child is returned to you.
7. Inform the court, your lawyer, and your caseworker if you or any member of your family have American Indian or Native American Heritage.
8. Visit your child(ren) unless the court directs you otherwise.

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When Will You Have to Go to Court?

It is very important that you attend every court date. If you fail to appear at a hearing, the Judge may hear evidence without you there and may enter an order that impacts your parental rights.

1. **Initial Appearance Hearing**

Hearing Date & Time: _____

2. **Dependency Pretrial**

Hearing Date & Time: _____

3. **Dependency Trial**

Hearing Date & Time: _____

4. **Annual Permanency Hearing**

Hearing Date & Time: _____

5. **Review Hearing**

Hearing Date & Time: _____

What to Expect at Each Hearing...

Initial Appearance: This is your first appearance in a dependency matter. The judge will read the allegations stated in the petition and make sure an attorney went over it with you before court. There are certain allegations listed in the document where you can now state on the record whether you admit to or deny any portion. The judge will appoint an attorney at no cost to you to represent you at future hearings. If you appear for the first time at any scheduled future hearing the same process will be followed. Your attorney may request new hearing dates to allow more time to work with you.

Dependency Pretrial: At this hearing the attorneys let the court know that they have exchanged all information relevant to your case and if anyone will testify, that they were properly notified to appear at your Trial. If there is any reason your attorney feels more time is needed related to your defense, they may ask the court for a new Trial date. It is possible by the time of this hearing that you, your attorney, and DHS have talked about reasons you may want to enter an admission to any of the allegations listed on the petition, if there is a benefit to your case plan by doing so.

Dependency Trial: If after talking with your attorney you wish to have a judge hear all the evidence related to your case and make a judicial ruling, you will participate in a Trial. A judge will hear testimony and arguments from all sides and make a decision about your case. The judge could find the allegations true or dismiss all or some of the allegations and will explain what is next. The outcome of this hearing will impact what services are required by DHS as part of your case plan.

Annual Permanency Hearing: The purpose of these hearings is to update the court on your progress with your case plan and discuss long-term plans about your child and what is the safest home environment for them.

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Important Addresses & Phone Numbers:

Juvenile Court

This is where you attend court hearings, and the judge ultimately decides the case. The Juvenile Court has information on your appointed lawyer and can provide copies of documents & hearing audio related to your case or court hearings at no cost to you.

**609 West 10th Street
Medford, OR 97501
(541) 776-7171 Ext. 35040**

Court Appointed Special Advocates (CASA)

Volunteers who are appointed by the court to represent the child's best interest and report directly to the court.

**409 North Front Street
Medford, OR 97501
(541) 734-2272**

Oregon Department of Human Services (DHS)

Caseworkers and Supervisors who are directly involved in coordinating your case plan and report directly to the court.

**909 Royal Court
Medford, OR 97504
(541) 776-6120**

Citizens Review Board (CRB)

A program within Oregon's state court system that reviews the cases of children in foster care. Regular reviews are conducted by boards of trained volunteers who make findings and recommendations in dependency cases.

541-776-7171 Ext. 71086

Family Nurturing Center – Parent Mentors

Parent Mentors work with families to navigate the child welfare system and encourage a life free from the chaos caused by substance use disorder.

**212 North Oakdale Avenue
Medford, OR 97501
541-779-5242**

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