

**Seventh Judicial District Plan To Improve The
Timeliness and Efficient Handling Of D&N Cases**

The following is a plan developed to improve the timeliness and quality of the courts' handling of dependency and neglect (D&N) cases in the Seventh Judicial District. The plan was developed in collaboration with representatives from the Department of Social Services, County Attorneys, Guardian Ad Litem (GAL) and Court Magistrates. The Seventh Judicial District will make every effort to include all D&N cases in these guidelines. However, it is recognized that to preserve the best interests of the child it may not be possible to adhere to these policies in all cases.

I.

EARLY DEVELOPMENT OF CASE PLANS.

A. Each Department of Human Services shall develop and submit to all parties a proposed interim treatment plan within thirty days of the shelter hearing or the filing of a D&N Petition. The format of the plan shall be based upon the latest version of the FAMILY SUPPORT PLAN that is required in all cases by the State Department of Human Services. It is understood that the final treatment plan might address different issues and suggest different solutions than this first interim plan. Health and Human Services will notify all parties when it is felt it is in the best interest of the child not to submit an interim plan and why.

B. A GAL shall be appointed in every D&N case prior to the first hearing. The GAL shall participate in shelter care hearings whenever possible. Health and Human Services shall file a motion and proposed order for the appointment of a GAL along with the filing of the petition.

Health and Human Services shall be required to notify the Court as soon as possible when a shelter hearing is needed to expedite the appointment of counsel. The attorney for Health and Human Services and the Court shall make every effort to contact a private attorney to be at the shelter hearing to represent the respondents. These attorneys will come from a list maintained by the Court and the attorney for Health and

Human Services. It is recognized that this representation is only until the Court can determine if the respondents qualify for court appointed representation. It is also recognized that respondent parents may obtain their own representation at their own expense.

C. Whenever possible and appropriate, the Department of Social Services shall conduct relative placement studies within thirty days of the shelter hearing. The agency will seek such orders from the Court as are necessary to effect the efficient processing of the studies. In order to expedite notice to absent parents and the timely processing of placement studies, respondent parents shall be ordered at the first hearing to provide the Court and Health and Human Services with the names and addresses of non-custodial parents and other relatives who may be suitable for placement.

II.

EXPEDITING THE TIMING OF ADJUDICATION AND DISPOSITION HEARINGS.

A. Health and Human Services shall make every effort to file the D&N Petition at the first hearing on this case. When allowed by statute or by agreement of the parties, the Court shall conduct the advisement of rights at the first hearing.

B. In order to expedite dispositional hearings, Health and Human Services shall submit a proposed treatment plan to all parties at least 15 days prior to the adjudicatory hearing if the matter is contested. If an adjudication is entered by admission or other means, Health and Human Services shall submit a proposed treatment plan to the court and the parties within 15 days thereafter. The parties shall submit written objections, which detail the objections and any counter proposals within ten days of service of the proposed plan. If there is no objection to the proposed plan, the Court may adopt the plan and vacate any dispositional court hearing that has been set.

III.

HEARINGS AND REPORTS

A. The attorneys for Health and Human Services will attach a copy of this policy to all D&N Petitions that are served upon any party.

B. The GAL shall appear at all hearings and report orally on the status of the case. If the GAL has good cause not to appear at an evidentiary hearing subsequent to the shelter

hearing, the Court shall require the GAL to file and serve on counsel for the agency and parents a written report and recommendation at least five days in advance of the hearing. The Court is aware that a GAL may not be available at a shelter hearing because of short notice.

C. Any reports filed by Health and Human Services not otherwise addressed in this policy shall be filed and served on all the parties at least five days before the hearing.

D. Health and Human Services are encouraged to use the combined Family Services Plan/Treatment Plan format as developed by Health and Human Services.

IV. CONTINUANCES

Continuances will be granted by a Judicial Officer only upon a finding that it is in the best interest of the child.