

## *Technical Assistance Bulletin*

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Child Abuse and Neglect Cases:  
A National Analysis of State Statutes

188288

PERMANENCY PLANNING FOR CHILDREN PROJECT

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**NATIONAL COUNCIL OF JUVENILE  
AND FAMILY COURT JUDGES**

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Delinquency Prevention

**U.S. DEPARTMENT OF JUSTICE**  
**OFFICE OF JUSTICE PROGRAMS**  
*Office of Juvenile Justice and  
Delinquency Prevention*

## Technical Assistance Bulletin

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U.S. DEPARTMENT OF JUSTICE  
Office of Child Welfare Services Reference Service (OWTS)  
Washington, D.C. 20535-0001

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**NATIONAL COUNCIL OF JUVENILE  
AND FAMILY COURT JUDGES**



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A National Analysis of State Statutes**

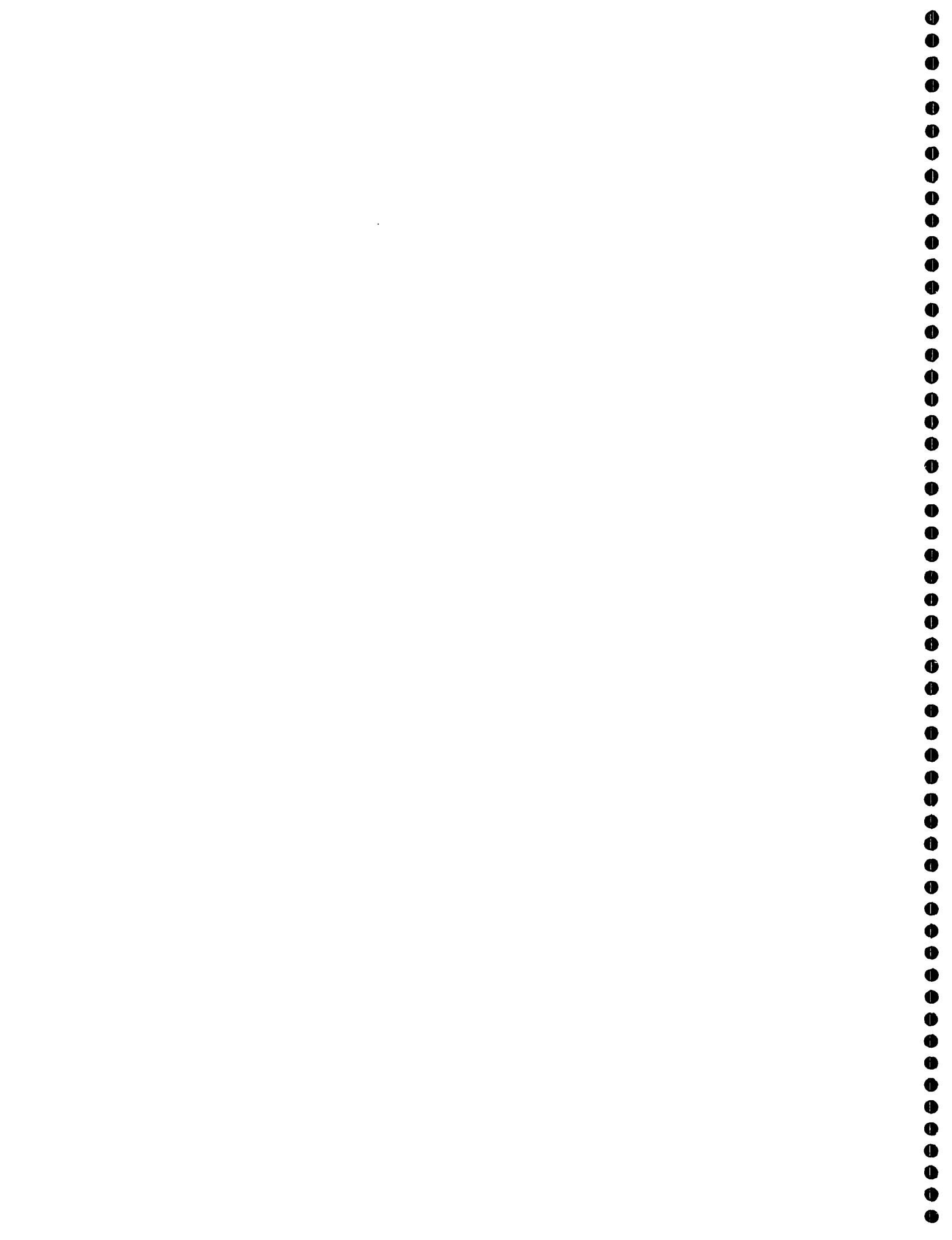
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## Introduction

The beginning of the current reformation of child welfare laws and the involvement of courts in child protection can be found in the Adoption Assistance and Child Welfare Act of 1980,<sup>1</sup> better known as P.L. 96-272. The goals of P.L. 96-272 were to prevent unnecessary removal of children from their parents, to hasten the return of removed children to their families, and to provide for the timely adoption of children who could not be returned to their family of origin. With the incentives of federal funding, the law requires, among other things, that:

- ▶ Social service agencies provide services to prevent children from being removed from their families and to allow removed children to return home;
- ▶ The court review voluntary arrangements between social services agencies and parents which involve out-of-home placement within 6 months after a child is first placed;
- ▶ The court promptly examine each involuntary removal of a child from the family to determine whether continued out-of-home placement is necessary for the welfare of the child;
- ▶ The social service agency develop a case plan for each child which provides for placement of the child in the least restrictive, most home-like environment within proximity of the parent's home;
- ▶ The court make findings about whether reasonable efforts have been made

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<sup>1</sup> 42 U.S.C. §670 et seq. (1989)

## Introduction

by social services to provide services to prevent removal of the child, to return a removed child to the parent, and to move the child to a permanent home as soon as possible;

- ▶ The court hold ongoing reviews of the case at least every 6 months, to check progress in the case and to determine if out-of-home placement is still required;
- ▶ The court hold a permanency hearing no later than 18 months after a child has been removed from the home to determine the permanent placement plan for that child;
- ▶ Throughout the process, the court assure that parents are provided procedural safeguards against removal of their children.

Many states' statutes are still virtual mirror images of the specific requirements of P.L. 96-272. And yet, in the years since its 1980 passage, agency and court practice has been pressed to respond to increasing case loads and new understandings of appropriate intervention. Between 1980 and 1993, reports of child maltreatment increased more than 155%.<sup>2</sup> By 1993, child protective services were receiving two million reports per year; 43 of every 1,000 children in America were the subjects of abuse and neglect reports. The National Center on Child Abuse and Neglect found that between 15 and 20% of reports received by social services were substantiated, with 17% of victims in substantiated cases

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<sup>2</sup> Child Maltreatment 1993: Reports from the States to the National Center on Child Abuse and Neglect. NCCAN (1995).

being removed from their homes.<sup>3</sup> This number correlates closely with the number of cases formally brought for court action.

Despite the obvious demands placed on the child welfare system by these increases in numbers, few courts or social service agencies have seen proportionate increases in resources to address the need. Much has been learned since 1980 about the importance of comprehensive early services, and individualized, regular monitoring of case progress in order to achieve effective outcomes for abused and neglected children. However, it is only in the past three or four years that reallocation and infusion of resources, along with significant changes in the approach to child welfare practice, have become universally recognized as critical capacity building elements to stem the tide of families in trouble.

Since 1994, 49 states have undertaken studies of court practice in child abuse and neglect cases, identifying key areas of need and recommending improvements. These State Court Improvement Projects<sup>4</sup> have served as an impetus for legislative reform at a level not seen since the passage of P.L. 96-272.

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<sup>3</sup> Child Maltreatment 1993: Reports from the States to the National Center on Child Abuse and Neglect. NCCAN (1995).

<sup>4</sup> The Court Improvement Programs were funded by the U.S. Department of Health and Human Services, under authorization from the Omnibus Budget Reconciliation Act of 1993 (P.L. 103-66). States electing to participate were to: identify a state advisory group to guide the work of the program to improve court's handling of cases involving abuse, neglect, foster care, and adoption; assess current practice; develop a report of recommendations for court improvement; and implement recommendations.

## **Introduction**

Our research has identified significant legislative changes in child welfare statutes in 7 states in the past three years. Another 30 states are contemplating changes in the next three years.

As changes of this magnitude are made, it will be important to track the changes, note their impact, and identify subsequent developments. This document is intended to provide a view of state child welfare statutes at a particular point in time -- June 1997 -- in order to memorialize existing law and to serve as a baseline to analyze the State Court Improvement reforms.

Our anticipation is that one or two updated versions of this publication will follow in the next years, to provide for comparison of legislative developments.

## The National Research Project

In November 1996, the Permanency Planning Project of the National Council of Juvenile and Family Court Judges (NCJFCJ) embarked upon a national research effort designed to identify existing statutes and actual court practice in the processing of child abuse and neglect cases. The research used three methodologies: (i) an analysis of all statutes concerning dependency proceedings; (ii) a mail-out questionnaire asking respondents specific questions about their state's statutes; and (iii) a lengthy telephone interview designed to elicit information on actual practice in a variety of areas related to case processing within each state. Court improvement specialists in each state were contacted and asked to participate in the research. The specialists, or their designee(s), were chosen for this research because of their ability to discuss actual practice in child abuse and neglect cases as well as state-wide issues. This report contains results of the first stage in the research.

### ➡ *Identifying State Child Abuse and Neglect Statutes*

Over the course of a 12-month period, NCJFCJ researchers reviewed all state statutes pertaining to the processing of child abuse and neglect cases. In this review, particular attention was paid to mandated deadlines and time frames. For example, deadlines for the filing of the petition, various necessary hearings, filing

## **The National Research Project**

of reports, and court reviews were noted.<sup>5</sup> Attention was also paid to reasonable efforts to prevent removal of a child and representation of parents and children. For each state, researchers reviewed the relevant information and compiled a summary state matrix. This matrix was then sent to court improvement specialists in each state who were asked to review the summary and note any incorrect or misrepresented information. Once all revisions were incorporated, the state matrices then underwent a final review by a project attorney. After the final review, a summary matrix for each state was produced (See Appendix B), as well as a "master matrix" comparing the states on mandated time frames (See Appendix A).

### **➡ *Comparing State Statutes with Actual Implementation***

In addition to a matrix summarizing their state's statutes for review, each court improvement specialist received a short questionnaire. The questionnaire included both close-ended and open-ended questions designed to elicit specific information from respondents about how closely statutory time frames are followed in practice in each state. For example, respondents were asked for their assessment of the use of continuances on mandated time frames, and to note the conditions under which continuances are typically granted. Respondents were also asked to identify problematic issues associated with their state's statutes, and

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<sup>5</sup> For a national summary of state statutes see S. A. Dobbin, S.I. Gatowski, & M. Springgate, "Child Abuse and Neglect: A National Summary of State Statutes," (1997) 48(4) *Juvenile and Family Court Journal* 41.

to identify particularly effective or helpful statutes. An empirical code was constructed for both the close-ended and open-ended questions and all responses were coded and statistically analyzed. The results of this comparative analysis of statutes and practice will be presented and discussed in an upcoming publication.

### ➡ ***Detailing Practice and Improvement Efforts***

Court improvement specialists were asked to participate in a telephone interview with a member of the research project team and to provide supplemental and supporting information. The telephone interviews were semi-structured and typically lasted 1 hour to 1 ½ hours. The purpose of the interviews was to gather information and perceptions about each state's overall system for processing child abuse and neglect cases. To this end, interviewees were asked to identify strengths and weaknesses of the overall case processing system and to identify their state's improvement goals and steps being taken to achieve these goals. Interviewers also gathered information about time management and case flow, including the reasons for untimely outcomes, processes and systems for monitoring cases and spotting delays, time frames for hearings, permanency, and the termination of parental rights, and a description of the judiciary's role in case progress.

Interviewees were asked to provide a general description of hearings and review procedures, pointing out what works particularly well in addition to problematic aspects of these events. A number of related areas were explored, including representation, training, reasonable efforts, and experience with the Interstate Compact for the Placement of Children and the Indian Child Welfare

## **The National Research Project**

Act. Finally, interviewees were asked about their own background, experience, and specific interests in the area of child abuse and neglect, in order to provide additional context for their responses.

An empirical code was constructed for both the close-ended and open-ended interview questions. Interview responses were then coded and project researchers are currently in the process of analyzing the interview data. A review of all additional documentation provided by the interviewees is also underway, with a report detailing the findings of the interview component of the overall national research effort to be available early in 1998.



## About the Statutory Analysis

In its work with juvenile and family courts across the country, the NCJFCJ has routinely been asked what procedures and time lines exist in other states for processing child abuse and neglect cases. It became clear that there was a need to gather and compile this data in a convenient, readily accessible publication. The research was undertaken with the objective of providing useful information to individual courts as well as state and federal policy makers.

Information summarized in this publication *reflects statutes in effect as of June 30, 1997*, as the data is intended to serve as a baseline. Many states have recently enacted statutory changes, have changes pending, or are in the process of proposing changes. This comprehensive review of state statutes facilitates comparisons across and between different states and enables states contemplating new laws to see how other jurisdictions have approached similar issues. Moreover, this review provides baseline information for understanding the impact and trends of the new legislation. Statutory changes will be tracked in future editions of this publication.

One of the most difficult initial tasks in preparing the state matrices and master matrix was interpreting each state's statutory language for placement of the statute within the categories defined by this project. In the category of "emergency hearing," for example, researchers had to consider whether hearings entitled "detention hearing," "shelter hearing," or "probable cause hearing" described the first court hearing held following involuntary removal of a child from parental custody. To interpret different terminology, the researchers

## About the Statutory Analysis

reviewed the entire body of juvenile statutes for each jurisdiction in order to gain an understanding of start-to-finish procedures used by the courts in that state. At any point in the process when the statutes assigned a time requirement, all efforts were used to determine where, within the generally defined categories of this project, that procedure fit.

A second difficulty encountered by the researchers in preparing the matrices was the challenge of separating time lines and procedures in states which had combined delinquency-dependency statutes. For example, many statutes that appeared to apply to dependency proceedings also had a punitive element for runaways and other status offenders. Every attempt was made to include time lines which only apply to dependency proceedings, even though the procedure might also apply to delinquency or status proceedings.

Not every state has specific time deadlines for the procedures outlined in statute. When available, the matrices set forth the statutory deadlines for action. It should be noted, however, that in many states, the times can be extended if the deadline falls on a Saturday or Sunday or a holiday; other states provide that only work days or judicial days are to be counted. Most states also have provisions for continuances which are not reflected in the time lines shown in the Data Summaries and Charts.

Information about state child abuse and neglect statutes is presented in three forms: (1) a summary of mandated deadlines and primary issues; (2) the master matrix (Appendix A) which compares the states in 8 major categories relating to mandated time frames in dependency procedures (i.e., filing of petition, emergency hearing, adjudicatory hearing, disposition hearing, court review, court permanency plan review, permanency deadline, and termination of parental

rights); and (3) a compilation of individual state matrices (Appendix B) which, in addition to mandated time frames, details pertinent statutes for each state regarding reasonable efforts, representation for parents and children, and the use of court appointed special advocates.

### **Filing of Petition**

Some states tie the time for filing of the petition to the hour of removal or of initial placement of the child out-of-home. Others tie the time for filing the petition to the emergency hearing, or some other pre-adjudicatory event [See Chart 3 and Chart 7, in Data Summary].

### **Emergency Hearing**

The emergency hearing is the first hearing held by the court following the emergency removal of a child. This removal may have been made with or without an ex parte court order. While referred to as the “emergency hearing” in most states, terminology does differ. For example, the District of Columbia refers to the “shelter care hearing,” Delaware to the “probable cause hearing,” Georgia to the “informal detention hearing,” and Maine to the “C-1 hearing.”<sup>6</sup> Mandated time lines for the emergency hearing vary considerably, with some states measuring time from removal of the child and others from the filing of petition [See Chart 4 and Chart 9 in Data Summary].

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<sup>6</sup> For other states where terminology differs, please see Appendix A: Master Matrix.

## About the Statutory Analysis

What is not shown in the statutes and time lines, but which is vital to understanding the impact of the emergency hearing, is (1) how substantive this first hearing is; and (2) what occurs within a given jurisdiction between the removal and the hearing. This information has been gathered in research about actual state practice and will be included in future publications.

### **Pre-Adjudicatory Conferences**

Many courts provide for pre-adjudication hearing conferences and proceedings. However, only a few states have such proceedings included in statute. For example, Pennsylvania requires the agency to meet with the parents within 48 hours of removal to explain their rights and the child welfare procedure. Delaware mandates a mediation conference immediately following the filing of a non-emergency petition. Illinois has provisions for a preliminary conference without judicial involvement before a petition is filed.

### **Adjudicatory Hearing**

The adjudicatory hearing is the fact-finding hearing at which a determination is made about whether or not allegations of abuse or neglect are established. Many states set the time limit for holding such a hearing based upon the filing of a petition; other states establish a time limit linked to the out-of-home placement of the children in shelter care. Still other states have no set time limit specified or change the triggering event during the case progress [See Chart 5, Chart 8 and Chart 9 in Data Summary]. As with the emergency hearing, terminology differs somewhat across

the states. For example, the adjudicatory hearing is referred to as the “fact-finding hearing” in Indiana, New Jersey, New York, and Washington, as the “arraignment hearing” in Florida, the “C-2 hearing” in Maine, and the “full adversary hearing” in Texas. Nothing in the statutes indicates or mandates how detailed the adjudicatory hearing is required to be. Information about actual practice before and during these hearings will be discussed in future publications.

### **Reports and Plans**

The matrices discuss some of the reports required by statute, together with the time lines for providing the reports. The most common reports required by statute are pre-disposition reports, case plans, and reports of foster parents or guardians ad litem.

### **Disposition Hearing**

The disposition hearing is the first hearing following adjudication at which the judge makes a determination about the case plan for placement of the child and provision of services to the child and family. Many courts allow the disposition hearing to be part of the adjudicatory hearing. Other states specifically require the disposition hearing to be bifurcated from the adjudication hearing, although it may immediately follow. In many states, the time line for the disposition hearing is tied to the adjudication hearing; in other states, the deadline for holding the disposition hearing is based upon the date of removal of the child from parental custody [See Chart 6 and Chart 8 in Data Summary].

## About the Statutory Analysis

### **Court and Agency Reviews**

Review hearings generally involve an overview of case progress. In many states, ongoing reviews may be held by an agency or citizen panel, with or without judicial oversight. Post-disposition reviews, permanency plan reviews, or permanency hearings typically focus on deadlines within which the final direction of the case is determined. These permanency reviews are often designated as court reviews. In examining state statutes, it was sometimes difficult to distinguish between ongoing reviews and permanency plan reviews, especially where both types of reviews are designated as court hearings. Almost all states have statutory requirements for some form of review, although there is considerable difference among states both in how many reviews are required and when reviews occur. In addition, some statutes authorize either a court review or a citizen or agency review; local practice is determinative.

### **Permanency Reviews and Deadlines**

This section includes any time frames or deadlines indicated in statute for judicial review of final disposition determinations. Time deadlines for these hearings, called post-disposition reviews, permanency plan reviews, or permanency hearings, typically focus on when the final disposition of a case must be determined. Some states provide merely for review upon motion of a party; others provide strict time limits within which permanency reviews must take place.

### Data Summary of Mandated Time Frames

Data highlights are presented below in both narrative and graphic form. Mandated time lines are presented in accordance with the various events that occur during the processing of child abuse and neglect cases (e.g., filing of petition, emergency hearing, adjudicatory hearing). To provide some context for the presentation of data highlights, we briefly outline the various events that may be statutorily required to occur; note, however, that not all states require all events, nor do all events necessarily occur in the same temporal order in all states. Following this overview, we will present highlights from the analysis of statutorily mandated time frames.<sup>7</sup>

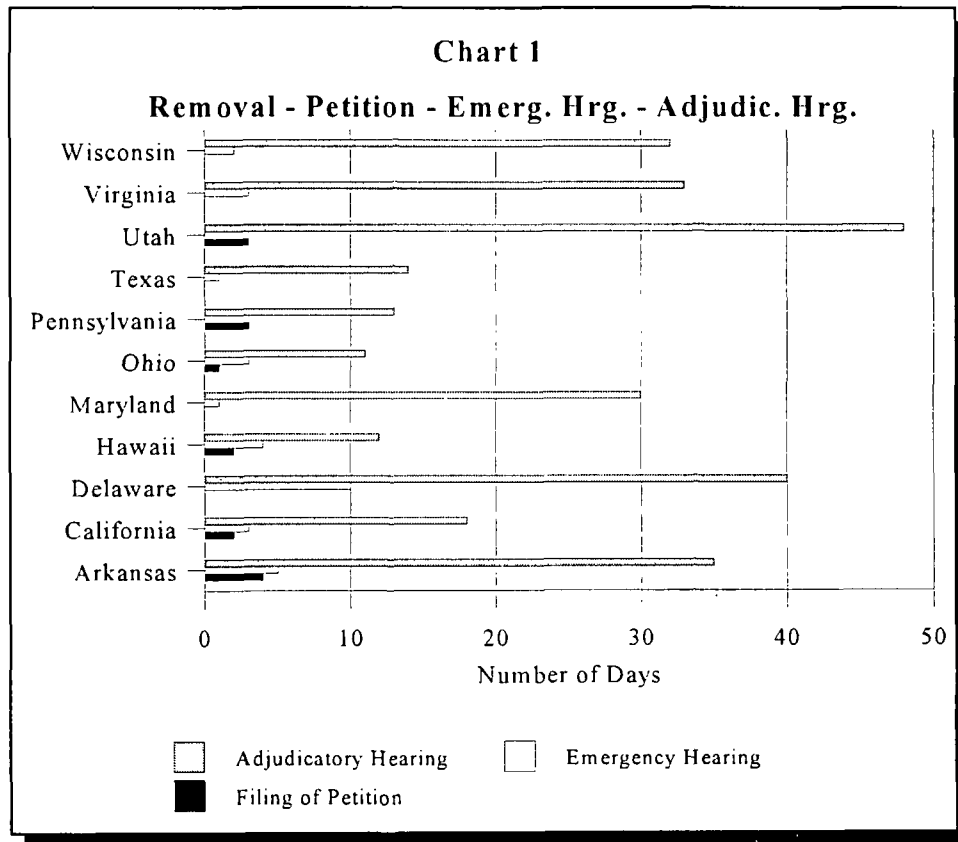
Although states may utilize different triggering events to set time lines for mandated procedures (i.e., one state may determine the deadline for the adjudicatory hearing based upon when the child is removed, while another state determines the deadline for the adjudicatory hearing based upon when the petition is filed), it is nevertheless instructive to compare, where possible, the passage of time from when the child is removed to the disposition hearing.

Chart 1 represents those states in which the filing of petition occurs before the emergency hearing and for which time lines from removal to adjudication can be determined. As the chart illustrates, time frames for the adjudicatory hearing, as measured from removal, vary considerably. Hawaii statutes, for example,

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<sup>7</sup> For a detailed look at each state's statutory requirements, please see Appendix B.

## Data Summary

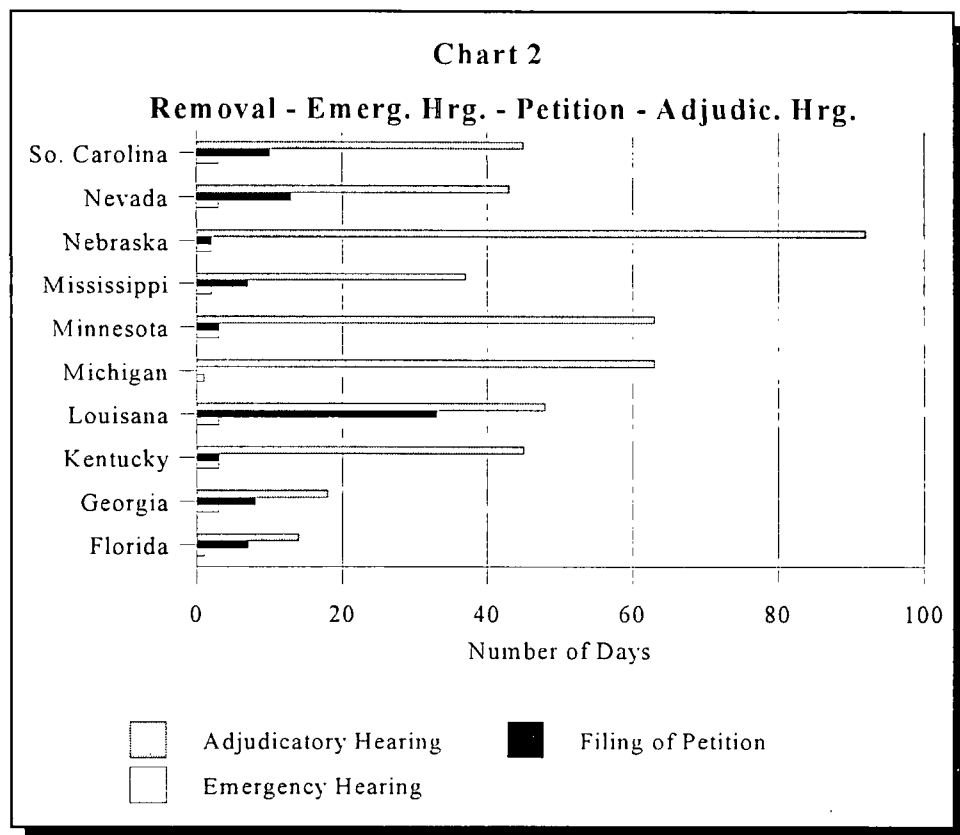


mandate that the adjudicatory hearing occur within 12 days of removal, and Ohio statutes require that the adjudicatory hearing occur within 11 days of removal. Utah, on other hand, requires the adjudicatory hearing to take place within 48 days of removal. Some states in Chart 1 do not have all three events (i.e. filing of petition, emergency hearing, and adjudicatory hearing) represented graphically because their statutes do not set a mandated deadline for a particular event. For these states it is still possible, however, to calculate the time to adjudication.

Chart 2 represents those states in which the emergency hearing occurs before filing of petition and for which time lines from removal to adjudication can be determined. As with Chart 1, some states may not have all three events



represented graphically because their statutes do not set a mandated deadline for a particular event. As illustrated, Florida is required by statute to hold the adjudicatory hearing 14 days from removal, while Nebraska is required to hold an adjudicatory hearing within 92 days of removal.



As mentioned previously, states utilize different trigger events to set time lines for mandated procedures. Therefore, depending upon which event triggers court involvement (e.g., removal of the child from parental custody or filing of the petition), a different set of deadlines may be operative. To facilitate comparison among states on specific mandated events, the following data summary organizes

### **Data Summary**

states according to whether the “trigger” event is the removal of the child from the home (Group A), filing of the petition (Group B), or some combination of both (Group C).

**A. When Time Frames are Measured from Removal of the Child**

Each of the charts in this section includes states that measure time frames for mandated events according to when the child is *removed* from parental custody. Note that in some cases the occurrence of one hearing is tied to the occurrence of a prior hearing. The occurrence of the initial hearing is, however, measured from the removal of the child [See Charts 3, 4, 5, and 6].<sup>8</sup>

**GROUP A**

*The following states consistently measure time frames for mandated events from removal of the child:*

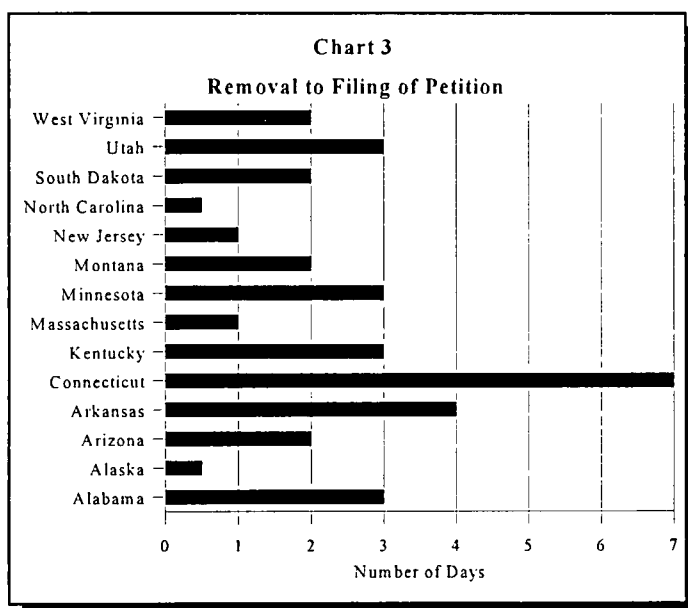
Alabama	Kentucky	South Dakota
Alaska	Massachusetts	Texas
Arizona	Minnesota	Utah
Arkansas	Montana	Virginia
Connecticut	New Jersey	West Virginia
Indiana	North Carolina	

<sup>8</sup> Those states which measure time frames from filing of petition are summarized in Section B, and those which measure some events from removal and others from the filing of petition, are summarized in Section C.

## Time Frames Measured From Removal

### ✓ Filing of Petition

The chart below [Chart 3] demonstrates the differences in time lines for the filing of petition when measured from the removal of the child. As depicted,



time frames for the filing of petition vary considerably. For example, Alaska and North Carolina require that a petition be filed within 12 hours of removal, while in Connecticut the petition must be filed within 7 days of removal. The most common time frames for the filing of a

petition in Group A states is 72 hours from removal (Alabama, Kentucky, Minnesota, and Utah) and 48 hours from removal (Arkansas, Montana, South Dakota, and West Virginia).

Texas requires that the petition be filed “without unnecessary delay” after the emergency removal. Indiana and Virginia do not specify when the petition is to be filed, although in both states the emergency hearing is set according to the time of removal [See Chart 4] and the adjudicatory hearing is set based upon the emergency hearing [See Chart 5].

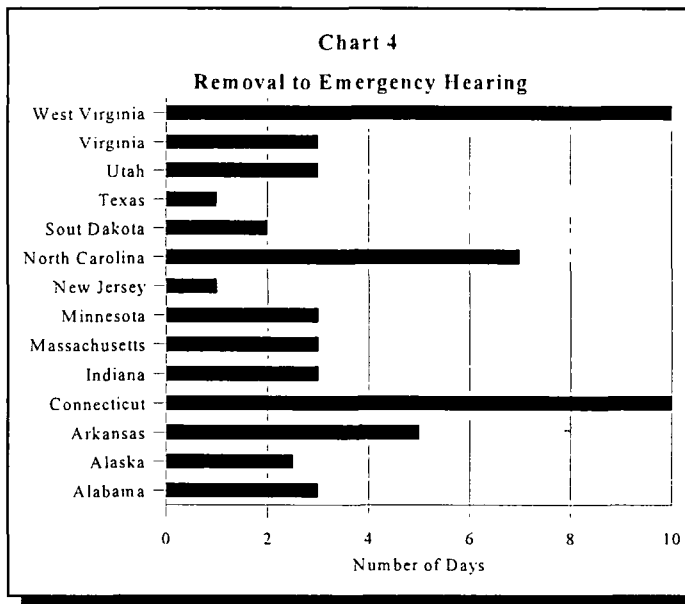


## Emergency Hearing

Chart 4 depicts those states which measure the time frame for the emergency hearing from removal of the child from parental custody. Again, there is considerable variation among the states with time frames ranging from 24 hours in New Jersey and Texas to 10 days in Connecticut and West Virginia. The most common time frame for the emergency hearing is 3 days from removal.

While Arizona does not explicitly set a deadline for the emergency

hearing, its statute does require that a request for a hearing must be made within 72 hours of removal and that the hearing must be held within 5 days of the request. Kentucky statute provides two time frames for the emergency hearing; either that the



“temporary removal hearing” be held within 72 hours from the emergency order or that it be held within 10 days from filing of petition (note, however, that all other mandated events set removal of the child as the trigger event). Montana sets the deadline for the emergency hearing within 20 days of the issuance of the temporary order for protection, which may or may not occur immediately before removal.

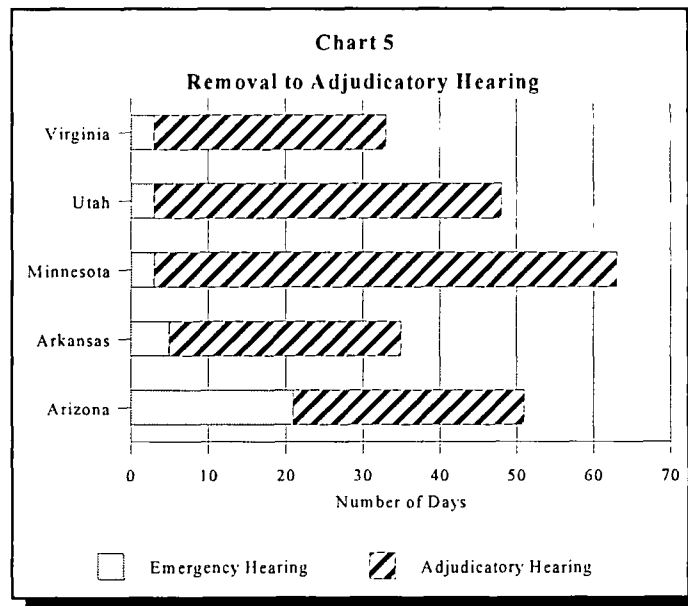
## Time Frames Measured from Removal



### Adjudicatory Hearing

Only Kentucky and Texas explicitly set the time frame for the adjudicatory hearing based upon removal of the child. In Kentucky the adjudicatory hearing is mandated to occur within 45 days of removal, although it can be extended if it is in the child's best interest. In Texas the "full adversary hearing" is mandated to occur within 14 days of removal.

Of the remaining states in Group A, 5 require that the adjudicatory hearing



be held within a specified time from the emergency hearing [Chart 5]. In these states, however, the time from removal can be calculated. For example, Minnesota, Utah, and Virginia all require that the emergency hearing take place within 3 days of removal, yet the deadline for the

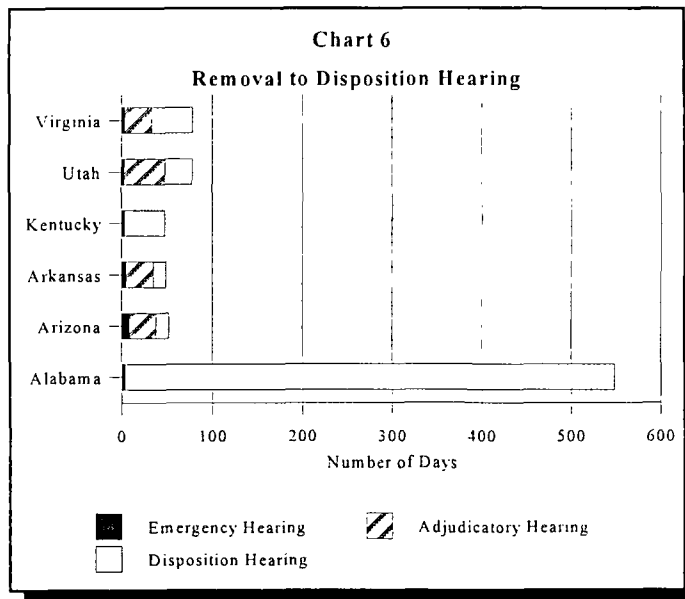
adjudicatory hearing, based upon the emergency hearing, ranges from 30 days from the "preliminary hearing" in Virginia (33 days from removal), to within 45 days of the "shelter hearing" in Utah (48 days from removal), and within 60 days of the "detention hearing" in Minnesota (63 days from removal). Note, however, that in Utah a pre-trial hearing must occur within 15 days of the "shelter hearing," and that while the pre-trial hearing can be continued, the "final adjudicatory hearing" must occur within 45 days of the "shelter hearing." Indiana mandates

that the adjudicatory hearing occur “immediately after” the “initial hearing,” while West Virginia requires that the adjudicatory hearing occur “as near as possible” to the previous hearing. Connecticut, Massachusetts, Montana, and New Jersey do not specify when the adjudicatory hearing is to occur.

## ✓ Disposition Hearing

Within Group A states, only 5 mandate specific time frames for the disposition hearing, and only Kentucky explicitly sets the deadline for the disposition hearing from removal (the disposition hearing is required to occur

within 45 days of removal). It should be noted that although Alabama statute requires that the disposition hearing occur within 18 months of the child’s placement in foster care (approximately 545 days from removal), the statute also explicitly permits the court to proceed to disposition or termination



of parental rights immediately following the adjudicatory hearing. Arizona and Arkansas have similar time lines, with both mandating that the disposition hearing occur within 14 days of the adjudicatory hearing, that the adjudicatory hearings occur within 30 days of the emergency hearings, and that the emergency hearing

## Time Frames Measured from Removal

is to take place within 5 (Arkansas) or 8 days (Arizona) of removal. Utah and Virginia also have similar time frames. Utah mandates that the disposition hearing take place within 30 days of the adjudicatory hearing, which takes place within 45 days of the “shelter hearing,” which is held within 3 days of removal. Virginia requires that the disposition hearing take place within 75 days of the “preliminary hearing” (or 45 days of the adjudicatory hearing) which is held within 3 days of removal. Thus, in both Utah and Virginia the statutory time from removal to disposition is 78 days. While Montana mandates that the disposition hearing occur within 30 days of the adjudicatory hearing, it does not provide a time line for the adjudicatory hearing. The statute does require, however, that the date of the adjudicatory hearing be set at the filing of the petition.

Several states note that the disposition hearing is to occur immediately after the adjudicatory hearing. For example, New Jersey statute provides that the disposition hearing may occur “immediately” after the “fact finding hearing,” although it can be postponed indefinitely if the case is referred to the child protective services division for annual review. South Dakota statute also provides that the disposition hearing can occur immediately after the adjudication or at a later date set at the adjudicatory hearing. The statute does clarify, however, that continuances can only be granted for up to 3 months between hearings. West Virginia statute compels the disposition hearing to occur “as soon as possible” after the previous hearing. Further, the statute authorizes termination of parental rights at the disposition hearing. Alaska, Connecticut, Indiana, Minnesota, North Carolina, and Texas do not specify any time frame for the disposition hearing.



**B. When Time Frames are Measured from the Filing of the Petition**

Only Maine, Maryland, Rhode Island, and Washington consistently use filing of petition as the trigger event, although many states start with removal as a trigger event for initial events, then switch to filing of the petition as a trigger event for later events (see Group C). Of the four states in Group B, only Maryland statute mandates a deadline for the filing of petition, requiring that the petition be filed within 30 days of receipt of the complaint.

**GROUP B**

*The following states consistently measure time frames for mandated events from filing of petition:*

Maine	Rhode Island
Maryland	Washington



**Emergency Hearing**

In Maine the "C-1 hearing" must be held as early as possible after filing of petition and in Maryland the hearing on the petition must occur on the same day the petition is filed, although it can be extended up to 8 days for good cause. Rhode Island statute requires that the hearing on the petition take place within 7 days of the filing of petition. Washington statute, by contrast, does not give a specific time frame for the emergency hearing, although it does note that when there is no court order a hearing must occur within 72 hours.

## Time Frames Measured from Filing of Petition



### **Adjudicatory Hearing**

Washington is the only Group B state that explicitly sets a deadline for the adjudicatory hearing based upon the filing of petition, requiring that a “fact-finding hearing” on the petition be held within 75 days of the filing of the petition unless there are exceptional circumstances. In contrast, Maine requires that a “C-2 hearing” take place at the “earliest practicable time and date after the petition is filed.” Maryland sets the date for the adjudicatory hearing within 60 days, unless a waiver petition is filed, in which case the adjudicatory hearing must occur within 30 days. The only time frame in Rhode Island statute for the adjudicatory hearing is that it must occur within 10 days of a request for a hearing.



### **Disposition Hearing**

In Group B, Maine is the only state that explicitly measures the time frame for the disposition hearing from filing of petition. Although Maine statutes provide that the disposition hearing can occur “as soon as possible” after the adjudicatory hearing (“C-2 hearing”), the disposition hearing must be held within 18 months from the filing of petition. Washington statute does not explicitly measure the time for the disposition hearing from filing of petition, as the disposition hearing is to occur within 14 days of the “fact-finding” hearing. This hearing is, in turn, to occur within 75 days of filing of petition. So, in Washington, the disposition hearing is to occur within 89 days of the filing of petition. Like Maine, Maryland statute also states that the disposition hearing may occur immediately after adjudication. However, Maryland requires that if a child is in custody, the disposition hearing must occur no later than 30 days from the adjudicatory hearing. Rhode Island statute does not provide a specified time frame for the disposition hearing.

**C. When Time Frames are Measured from a Combination of Trigger Events**

**Group C-1**

*The following states set time frames for the emergency hearing and filing of petition from removal and time frames for adjudication and disposition from filing of petition:*

Colorado	Mississippi	Pennsylvania
Florida	Nebraska	South Carolina
Georgia	Nevada	Vermont
Louisiana	North Dakota	Wisconsin
Michigan		

Many states utilize a combination of time frame trigger events depending upon the sequence of events. For example, some states set the time frame for the emergency hearing and the filing of petition based upon when the child is removed. However, once the petition is filed, time frames for the adjudicatory and disposition hearings are measured from the filing of petition.

In contrast, other states set the deadline for filing of petition based upon when the child was removed. But, once the petition is filed, all subsequent hearings are measured from petition.

## Time Frames Measured from a Combination of Trigger Events

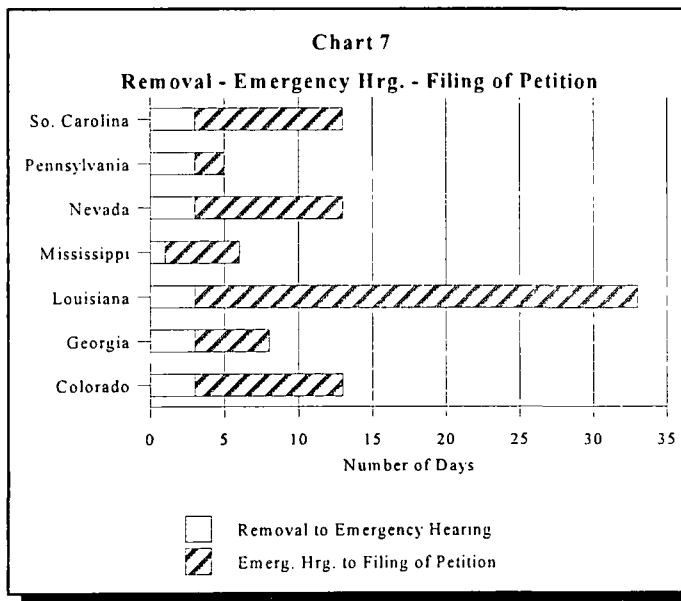
### Group C-2

*The following states set time frames for filing of petition from removal and time frames for emergency, adjudicatory, and disposition hearings from filing of petition:*

California	New Mexico	Ohio
Hawaii	New York	

Other states, to be discussed shortly, use a variation of the above approaches.

Chart 7 depicts those Group C-1 states that specify the time frames of the emergency hearing and the filing of petition based upon the removal of the child. Note that none of these states explicitly requires that filing of petition must occur



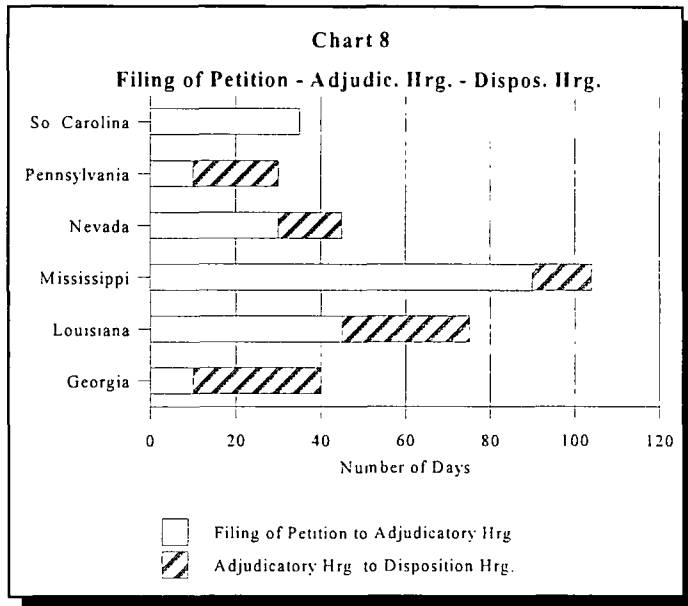
within some specified time from removal. Rather, these states base the time frame for filing the petition on the emergency hearing, which, in turn, is based upon removal. In most cases the emergency hearing occurs within 72 hours of removal; Mississippi being the

exception. Despite the common time frame for the emergency hearing however, there is considerable variation in filing of petition. For example, Pennsylvania requires that the petition be filed within 2 days of the emergency hearing, and

## Time Frames Measured from a Combination of Trigger Events

Georgia and Mississippi require that the petition be filed within 5 days of the

emergency hearing (note different time frames for emergency hearings). On the other hand, Louisiana requires that the petition be filed within 30 days of the emergency hearing. The most common time frame for the filing of petition in the C-1 Group of states is 10 days from the emergency hearing



(Colorado, Nevada, and South Carolina). North Dakota also measures the time frame for the emergency hearing and filing of petition from removal. However, while the “shelter care hearing” is required to occur within 96 hours of removal, the statute mandates that filing of petition is to be “promptly” made if the child is removed.

Chart 8 depicts these same states with respect to time frames for the adjudicatory hearing and disposition hearing as measured from the filing of petition (point 0 in the graph). Colorado is not included in the graph because the adjudicatory hearing is measured from the service of petition rather than the filing of petition. Note also that although South Carolina sets the time frame for the adjudicatory hearing from filing of petition, it does not specify a time frame for the disposition hearing. It does, however, require that the permanency plan be presented to the court within 10 days of the adjudicatory hearing.

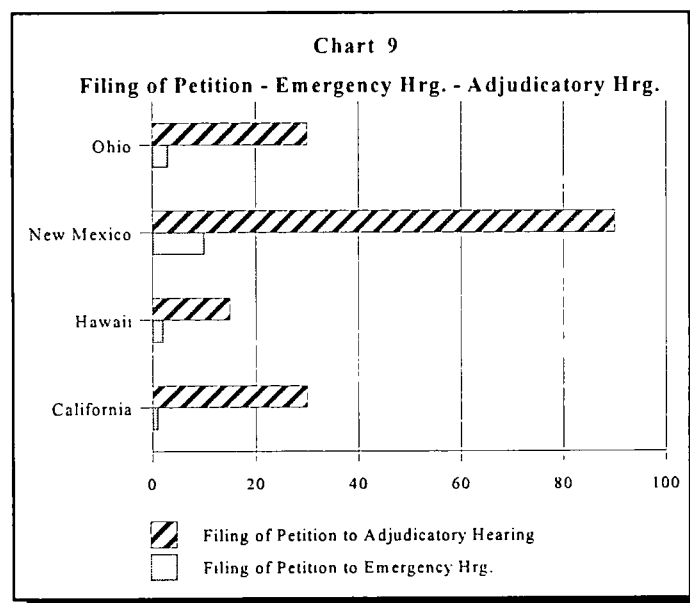
When examining Chart 8, note that although the filing of petition is set at

### Time Frames Measured from a Combination of Trigger Events

"0" for purposes of the graph, the actual time frame for the filing of the petition differs across the states [See Chart 7]. Thus, the actual time from removal to disposition can vary substantially.

As noted previously, Group C-2 states are those which set time frames for the filing of petition from removal and time frames for the emergency hearing, adjudicatory hearing, and disposition hearing from filing of petition. California, Hawaii, and New Mexico statutes mandate that the petition be filed within 48 hours of removal, and in New York the petition must be filed within 3 days of the temporary order of custody. Ohio requires that a complaint be filed within 1 day of removal.

Chart 9 depicts times frames for the emergency hearing and the adjudicatory hearing as measured from filing of petition (point "0" in the chart).



For purposes of comparison, New Mexico is depicted as requiring the adjudicatory hearing to occur within 90 days of filing of petition. Note, however, that the statute directs the adjudicatory hearing to occur within 90 days of whichever of the following events is latest: date the petition is

served; date of order of mistrial; or date of order dispensing appeal. New Mexico statute also provides a minimum time frame for the emergency hearing, noting that it cannot occur sooner than 2 days after the petition is filed.

### Time Frames Measured from a Combination of Trigger Events

Both California and Hawaii statutes mandate that the disposition hearing occur within 30 days of the adjudicatory hearing. New Mexico statutes note that the court may proceed to disposition immediately from adjudication, or at some postponed date. Likewise, New York statute also states that the court may commence the disposition hearing immediately after the “fact-finding hearing.” Ohio mandates that while the disposition hearing can be held immediately following the adjudicatory hearing, the hearing must be conducted within 30 days of adjudication. Ohio statute does allow the disposition hearing to be extended up to 90 days after the complaint is filed.

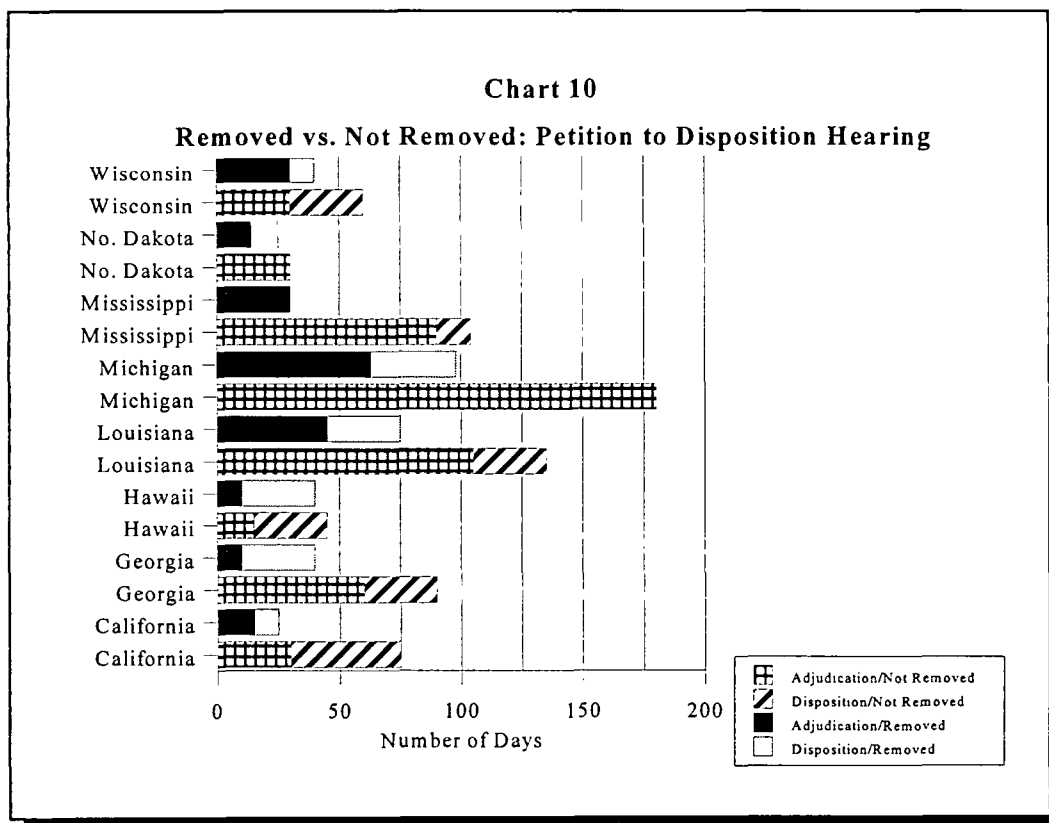
A few states don’t quite “fit” into any Group discussed above. For example, the District of Columbia mandates that a shelter care hearing is to occur within 24 hours of removal, that a petition be filed within 7 days of a complaint of abuse and neglect, and that an “initial appearance” take place no longer than 5 days after filing of petition. Although D.C. statute does not specify when the adjudicatory hearing is to be held (it does note that the date for the adjudicatory hearing may be set at the “initial appearance”), it does specify that the disposition hearing must be held within 45 days of the “shelter care hearing.” Delaware mandates that the “probable cause hearing” (i.e., emergency hearing) occur within 10 days of removal and that the adjudicatory hearing occur within 30 days of the “probable cause hearing.” It does not, however, specify a time frame for either the filing of petition or the disposition hearing. Kansas mandates that the adjudicatory hearing take place within 30 days of filing of petition, yet it does not specify a time frame for the filing of petition. It does note, however, that the emergency hearing is required to occur within 48 hours of removal.





### D. States with Dual Time Lines Depending Upon Whether Child Removed or Not Removed

A few states make statutory distinctions in the time lines for procedures when a child has been removed from the home prior to adjudication when a child has not been removed. These distinctions affect the times for adjudication, disposition, or both. California, Louisiana, and Wisconsin statutes include different time frames for the disposition hearing. Chart 10 depicts those states



which explicitly mandate different time frames when a child has been removed from the home and when a child has not been removed. For those states with a dual statutory time line, the shortest time frame from petition to adjudication for

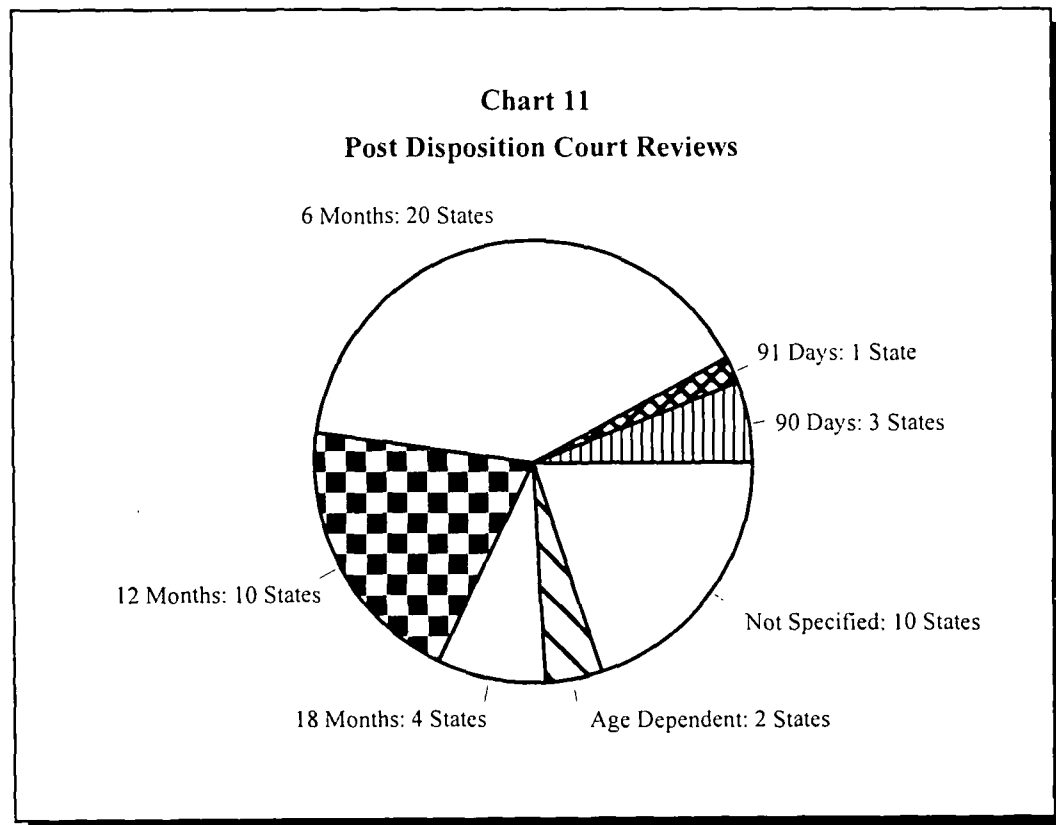
### **Dual Time Frames: Removed or Not Removed**

removed children is 10 days in Georgia and Hawaii; for children who have not been removed the shortest time frame to adjudication is 15 days from the filing of the petition in Hawaii. The longest time frame from the filing of the petition to adjudication for a child removed from home is 63 days in Michigan. The longest time frame to adjudication for a child who is not removed from the home is 6 months from the petition in Michigan. In states with different time lines, the earliest disposition hearing for a child removed from the home is 10 days from the adjudicatory hearing (or 25 days from petition) in California; and the earliest disposition hearing for a child who has not been removed is 30 days from the adjudicatory hearing (Georgia, Hawaii, Louisiana, Wisconsin). Note, however, that for a child not removed from the home, Hawaii has the shortest time frame from the filing of petition, to adjudication and disposition. The longest time frame to the disposition hearing for removed children is 35 days from adjudication in Michigan. Wisconsin statutes also include an earlier "plea hearing" that takes place prior to the adjudicatory hearing, mandating that the plea hearing occur within 10 days after the filing of the petition if the child is removed and within 30 days if the child is not removed from the home.

## E. Case Reviews, Permanency Hearings, and Deadlines

### ✓ Ongoing Court Reviews

Most states require periodic reviews following the disposition, although there is considerable difference among states in terms of when these reviews



occur, how many reviews are required, and whether the reviews can be conducted by an agency or citizen review board. Twenty jurisdictions require a review within 6 months of the disposition hearing (Arkansas, California, Florida,

## Case Reviews, Permanency Hearings, and Deadlines

Georgia, Hawaii, Indiana, Iowa, Minnesota, Missouri, Nebraska, Nevada, New Mexico, Oklahoma, Pennsylvania, South Dakota, Texas, Utah, Virginia, Washington, and Wisconsin). Many of these states allow earlier or more frequent review hearings, but require at least one review hearing within 6 months.

Other states mandate earlier court review hearings. For example, if a child is placed out of the home, Colorado requires a court review within 90 days. In Illinois, a "preliminary conference review" must also be held within 90 days if the child is placed in the home of a close relative. Louisiana also requires a 90-day review if the child is placed out of the home; if the child is not removed, a review hearing must be held within 6 months of the disposition hearing and every 6 months thereafter until a permanency plan is before the court. Michigan requires a review hearing within 91 days of disposition and every 91 days for the first year.

Ten states (Alaska, Arizona, Kansas, Mississippi, New Hampshire, North Carolina, Ohio, South Carolina, Tennessee, and West Virginia) require at least annual post-disposition court reviews; although some states do allow earlier reviews. Maine, Maryland, Massachusetts, and Montana require an 18-month court review.

Two states explicitly mandate different time frames for court reviews depending upon the age of the child. For example, in D.C. if a child is under the age of 6, a court review must be conducted every 6 months for the first 2 years. If the child is older than 6, a review must be conducted annually. In Vermont, when a child is under 3, upon motion the court may hold a review every 6 months. For children aged 3 to 6, reviews may be conducted every 12 months.

Ten states (Alabama, Connecticut, Delaware, Idaho, Kansas, New Jersey, New York, North Dakota, Rhode Island, and Wyoming) do not explicitly specify a time line for post disposition reviews, although they may include time frames for "permanency plan review hearings" (see below).

Twenty-six states have provisions either mandating or allowing an agency or citizen review of cases. In some states (e.g., Colorado, Florida, Indiana, Louisiana, Nevada, Tennessee, Utah, and Wisconsin), these reviews may be substituted for ongoing court reviews. In other states (e.g., Alaska, Arizona, California, D.C., Georgia, Kansas, Michigan, Mississippi, Nebraska, New Mexico, Ohio, Oklahoma, Oregon, South Carolina, Texas, and Washington), the agency or citizen reviews are in addition to the court reviews. The effect of the agency or citizen review process on the overall time a child is in out-of-home placement is not analyzed here, but will be discussed in a later publication.



### **Permanency Deadline**

While many states have provisions for a review of the disposition findings at 18 months, only a few states have a statutory deadline within which a determination affecting the permanent placement of a child must be made. And, even in those states, the language reflecting the deadlines is not always clear and time lines vary greatly between jurisdictions. In Connecticut, the court may only commit a child to the care of the department for a maximum of 12 months; the inference is, therefore, that a permanent plan must be in place within that time. In Maine, a final order must be made within 18 months of a filing of a petition; in cases involving heinous or abhorrent conduct, the final order must be made within 12 months of filing. New York requires the court to order the agency to proceed with a petition for termination of parental rights six months after the agency gets custody of a child under the age of one who has been abandoned by its parents. In Utah, reunification efforts continue only for 12 months from the date of initial removal; the court can order discontinuation of reunification services to the parents after six months for a child under the age of two.



### **Court Permanency Plan Reviews**

Even though they may not have a permanency deadline, many states' statutes provide for hearings to review the permanency plan for children in agency custody. In many cases, it is difficult to distinguish permanency plan review hearings from regular court reviews. Most states require that a permanency plan review occur at either 12 months (15 states) or 18 months (13 states) from disposition or placement. Maryland requires that the permanent plan be reviewed every 6 months from placement. Georgia's statute provide that the court "may at any time" conduct a review of the placement plan, while Michigan requires that a permanency plan hearing be held 364 days after disposition.

Some states require that hearings occur after a permanent plan has been decided upon and continue until termination of parental rights. For example, Florida requires that the court conduct a permanency plan hearing within 45 days after the plan is received, and Utah requires that if a child is not returned at the 12 month hearing, a "final determination hearing" must be scheduled within 120 days.

A number of states (Alabama, Delaware, Idaho, Kansas, Mississippi, Nebraska, New Hampshire, New York, North Dakota, Oregon, Pennsylvania, Rhode Island, South Dakota, Texas, Wisconsin, Wyoming) do not make explicit reference to permanency plan reviews.



### **Termination of Parental Rights**

General information was captured in this category whenever the statute indicated some time line for accomplishment of procedures toward the

termination of parental rights. Many state statutes do not mandate deadlines for the termination of parental rights, but only outline the grounds for termination and the necessary procedures. However, some state statutes allow termination of parental rights to occur at or shortly after the disposition hearing (e.g., Alabama, D.C., South Dakota, and West Virginia). Maine, however, mandates that the petition for termination of parental rights cannot be filed any earlier than 3 months after disposition.

Some states explicitly provide for judicial review of a case post-termination until a child has been adopted. Post termination review times vary from 90 days in Colorado to 18 months in Connecticut, Florida, Idaho, and North Dakota. Four states (D.C., New Hampshire, North Carolina, and Texas) require 6 month post-termination reviews, while 4 states (Alabama, Kansas, Rhode Island, and Wisconsin) require annual reviews post-termination.





## Data Summary: Other Statutory Provisions

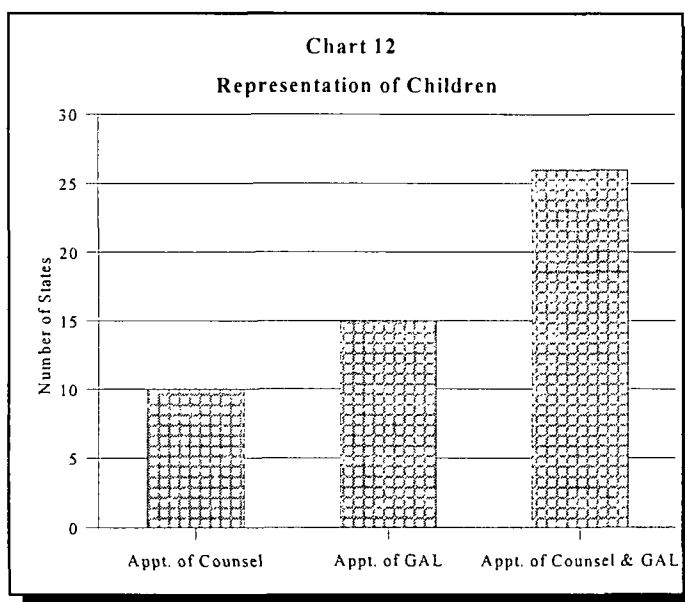


### Representation of Parents and Children

There is great variation among the states about whether any representation is provided for children by statute and about the nature of that representation. For example, representation may entail the appointment of an attorney, a guardian ad litem (GAL), or both. There is also considerable variation among states in setting the event or time at which an advocate is appointed.

Louisiana has a unique statute providing for appointment of an attorney from the Mental Health Advocacy Service if the child might be placed in a mental institution. Florida has provisions for appointment of a guardian advocate for drug dependent infants.

Chart 12 depicts the appointment of counsel for children as mandated by



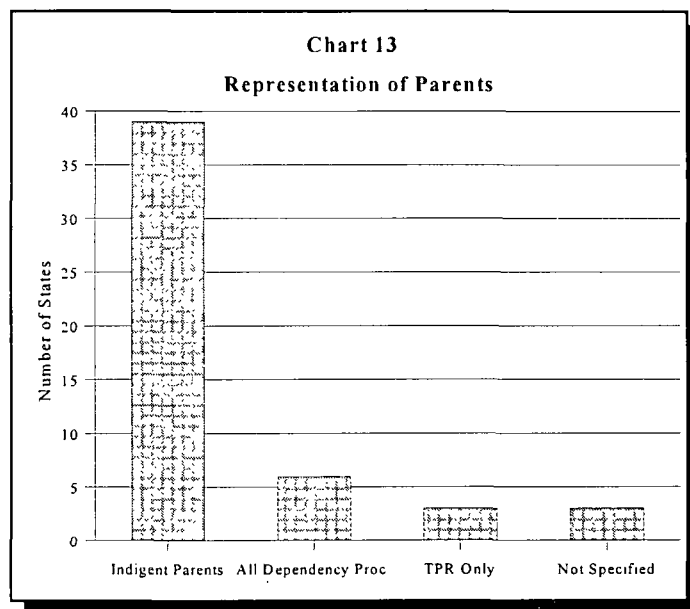
state statutes. Twenty-six state statutes provide that both counsel and a guardian ad litem (GAL) be appointed for children. Depending on the statutory provisions, this appointment may be mandatory or at the discretion of the judicial officer. Fifteen states

## Other Statutory Provisions

require the appointment of at least a GAL for the child, while fewer number of states (10) specifically provide for the appointment of counsel for children in dependency proceedings.

There is also great diversity in the statutes providing for representation of a parent in dependency hearings. The appointment of a representative for parents is illustrated in Chart

13. As indicated, most state statutes provide that counsel be appointed for indigent parents. Fewer states include provisions that counsel be appointed for parents in all dependency proceedings, and some states only provide for the appointment of



counsel in termination of parental rights proceedings. It is important to note, however, that the appointment of counsel for parents in all circumstances may be mandatory or discretionary, depending on specific statutory provisions.



## Jury Trials

The majority of states do not provide for jury trials in civil child abuse and neglect cases. However, at least one state, Oklahoma, allows a jury trial at the adjudicatory hearing. Other states, (e.g., Texas) provide for a jury trial at a

hearing for termination of parental rights; and in Michigan, any party may demand a jury at a trial, including the adjudication.



#### **Notification of Movement of Placement**

Several states have provisions that require the agency to give notice to the court and/or the parents prior to moving a child from a current placement. In West Virginia, the agency must give notice 48 hours before a move or within 48 hours of an emergency move. In Wisconsin, the agency cannot move a child until 10 days from receipt of notice of a move, unless in an emergency and such a move is authorized in the disposition order; in such a case, the agency must give notice within 48 hours of the change. Wyoming statute require 10 days notice before a change in placement. Kansas statute provide that where a child is in placement more than 6 months, 30 days notice is required unless there is an emergency. In Kentucky, the social service agency is to notify the court of a change of placement within 14 days. The District of Columbia requires 10-day notice to parents prior to a change in placement, and notice of emergency changes within 24 hours. Nebraska requires notice to the court and interested persons in most cases prior to a move.



#### **Provisions for Kinship Care**

Several states have specific statutes defining "kinship" for purpose of preferential placement. Maryland defines kinship to include people related by blood or within five degrees of blood relationship or relationship by marriage. Oklahoma includes in its definition adults filling a parental role. In Kansas, kinship includes an adult with whom the child or parent has already formed a close emotional attachment.

## Other Statutory Provisions



### Appeals

Each state has specific statutes governing appeals. Some states, however, have statutes that apply specifically in child abuse and neglect cases. In Tennessee and New Jersey, for example, cases may be appealed from the juvenile court to the circuit court for a new trial. Virginia requires appeals in these cases to be made within 10 days; appeals from a determination of parental rights must be heard within 90 days.



### Unique Features

Among the interesting features within individual states are:

- ▶ Defendants in criminal abuse cases are provided immunity for their testimony in dependency cases, so as to avoid delays (New Mexico);
- ▶ Preferential consideration for relatives in the placement of children expires 30 days after the shelter hearing (Utah);
- ▶ Foster parents are given rights in dependency proceedings (Iowa, Utah);
- ▶ Integrated service programs provide care for children with severe disabilities (Wisconsin).

Many other unique state statutes can be found by perusing the matrices in Appendix B. The statutes may present a state's response to a unique situation, or may be indicative of a broader trend toward change in the way courts and agencies are handling abuse and neglect cases. In either case, other jurisdictions will find these statutes of use in reexamining their own child welfare practices.

**Appendix A:  
Master Matrix of State Statutes**

**Legend**

adjudic.	= adjudication	invol.	= involuntary
admin.	= administration	mo(s).	= month(s)
alleg.	= allegations	not specified	= time frames not specified
a/n	= abuse or neglect	perm.	= permanent
auth.	= authorized	plcmt.	= placement
circum.	= circumstance	p/p	= permanency plan
conf.	= conference	prelim.	= permanency plan
cont.	= continued	reas.	= reasonable efforts
dept.	= department	recomm.	= recommendation
dispo.	= disposition	reunif.	= reunification
emerg.	= emergency	s/s/h	= Saturday, Sunday, holiday
eval..	= evaluation	subseq.	= subsequent
evid.	= evidence	temp.	= temporary
excl.	= exclusion	t.p.r.	= termination of parental rights
fed.	= federal	tx	= treatment
GAL	= guardian ad litem	vol.	= voluntary
fed.	= federal	w/	= with
GAL	= guardian ad litem	w/i	= within
hrg.	= hearing	wk(s)	= week(s)
immed.	= immediately	w/o	= without
		yr(s)	= year(s)

## Appendix A: Master Matrix

	Petition Filed	Emergency Hrg.	Adjudicatory Hrg.	Disposition Hrg.
AL	filed w/i 72 hrs of plcmt. in shelter care; filed w/i 14 days of complaint unless informal adjustment	w/i 72 hrs of plcmt. in foster care	not specified, but held "after filing of petition"	w/i 18 mos. of plcmt. in foster care; court may proceed immed. from adjudic. to dispo. or t.p.r.
AK	w/i 12 hrs of removal or report filed if child returned	w/i 48 hrs from notification (less than 60 hrs from removal)	at conclusion of emerg. hrg. or thereafter as the circumstances of the case may require	not specified; provisions for dispo. described; may t.p.r. at time of first hrg.
AZ	w/i 48 hrs of temp. custody	request must be made w/i 72 hrs and hrg. held w/i 5 days of request; written notice w/i 6 hrs to parents; no child shall remain in plcmt. for more than 3 wks. w/o court order, extensions will be reviewed at least once a week	w/i 30 days from emerg. hrg.; may be continued up to 20 days for good cause	14 days after adjudic. hrg. (may be immed.)
AR	w/i 96 hrs from emerg. removal of child	w/i 5 days of issuance of ex parte order, hrg. held	w/i 30 days from emerg. hrg.; may be cont. up to 20 days for good cause; order filed w/i 30 days	14 days after adjudic. hrg. (may be immed.); dispo. order w/i 30 days
CA	w/i 48 hrs from removal, excl. nonjudicial days	w/i 1 judicial day of filing petition; may be cont. up to 24 hrs; trial may be set w/i 10 days in lieu of hrg.	w/i 30 days of petition, unless minor in out-of-home care; in a/n case it is w/i 15 days of order of detention	dispo. may be cont. up to 10 days from adjudic. if child detained, or up to 45 days if not; if child left in home, dispo. cont. up to 6 mo.

Appendix A: Master Matrix

	Court Reviews	Court P/P Reviews	Perm. Deadline	T.P.R.
AL	not specified; may be held upon motion	not specified	w/i 18 mos. of plcmt. in foster care	yearly review after t.p.r.; "periodic review" of efforts to achieve adoption at least yearly
AK	annual p/p review	p/p hrg. w/i 18 mos. from removal or dispo.; w/i 18 mos. from commitment to dept.	plcmt. less than 2 yrs.; may be extended 2 yrs. and an additional 1 yr. beyond age 19; 18 mos. to p/p hrg.	not specified; <i>note</i> , may terminate at first hrg.; procedures described
AZ	when child in foster care for 1 yr., dispo. review by court then additional reviews every yr.	if child placed in foster care, review annually	12 mos. after dispo. order (may cont. up to 6 mos.)	if child removed for more than 1 yr. and parent still neglects, or out of home +2 yrs., hrg. w/i 10 days of notice to parents
AR	w/i 6 mo. from dispo.; report w/i 30 days	every 6 mos. after p/p plan hrg.	12 mos.	out of home more than 12 mos.; grounds described
CA	no less frequently than every 6 mos. from dispo.	reviews no less than every 12 mos.	if child 3 or older, services not to exceed 12 mos.; if child younger than 3, services not to exceed 6 mos; may extend up to 18 mos. if substantial showing; hrg. 18 mos. from date of removal to return or to order a p/p hrg.; to be held w/i 12 days from 18 mo. hrg	if parents unable to resume custody w/i 12 mos.

## Appendix A: Master Matrix

	Petition Filed	Emergency Hrg.	Adjudicatory Hrg.	Disposition Hrg.
CO	w/i 10 days of emerg. hrg.; county dept. must inform court w/i 72 hrs. upon receiving child	w/i 48 hrs if child in facility not operated by dept., or w/i 72 hrs if in custody of dept.	"earliest possible time," not to exceed 90 days after service of petition; delay if in "best interest of child"	w/i 45 days of adjudic. hrg. unless good cause; if child under 6, dispo. no later than 30 days from adjudic.
CT	not specified; judge may issue order for immed. custody following arrest for abuse; valid for 7 days unless petition filed	w/i 10 days of order of temp. custody	not specified	may be committed for 1 yr. if found to be neglected or uncared for; 90 days prior to the expiration of the 12 mo. there must be a petition for review
D.C.	w/i 7 days after complaint of a/n	w/i 24 hrs. (excl. Sunday) of removal; initial appearance, or no longer than 5 days after petition filed; "shelter care hrg.," "initial appearance"	not specified, but court may set adjudic. hrg. at "initial appearance"	immed., or w/i 45 days of "shelter care hrg."
DE	at commencement of action when investigation shows a/n	"probable cause hrg." w/i 10 days from removal; "court mediation conf." in non-emerg.; consent to place agreement valid for 90 days	w/i 30 days of "probable cause hrg."	not specified, but may be at time of adjudic. hrg.
FL	w/i 7 days of child taken into custody	w/i 24 hrs after removal	w/i 14 days from protective custody or "as soon as practicable" after filing of petition; "arraignment hrg.;" child cannot be held longer than 21 days w/o adjudic. hrg	w/i 30 days after adjudic. hrg.; child cannot be held in shelter longer than 30 days following adjudic. unless dispo. order made



	Court Reviews	Court P/P Reviews	Perm. Deadline	T.P.R.
CO	if out of home, review w/i 90 days; if plcmt., or tx no longer appropriate, then hrg. w/i 5 days for further dispo.	periodic review at least every 6 mos.; as soon as possible after dispo. hrg., but w/i 3 mos. for children under 6; may be cont. up to 6 mos. if likelihood of reunif.	not specified	motion filed w/i 30 days before hrg.; court review w/i 90 days of t.p.r.; may be entered at time of first dispo. hrg.
CT	extensions on p/p filed 90 days before p/p hrg.; may extend up to 12 mos.	dept. to file p/p w/i 60 days of 12 mo. hrg.	court may commit child to care of dept. for up to 12 mos.	t.p.r. hrg. no more than 30 days after filing of petition; t.p.r. after no less than 1 yr. from removal; petition for t.p.r. to be filed w/i 60 days of 12 mo. hrg.
D.C.	reconsideration and appeal of "shelter-care hrg." w/i 48 hrs.; dispo. review every 6 mos. for children under 6 committed to facility, for first 2 yrs.; annual review for other children	p/p reviews w/i 30 days; p/p hrg. prior to child having been in custody for 18 mos.; reviews annually for child in custody for over 3 yrs; when child in custody 18 mos., hrg. to be held to see why permanency not done	dispo. orders shall remain in force for a period not exceeding 2 yrs; extensions possible	reviewed every 6 mos. until final adoption; t.p.r. may be granted at time of dispo. hrg.; reviews every 6 mos. post termination
DE	not specified	not specified	not specified	not specified; procedures described
FL	first review w/i 6 mos. of dispo. hrg., second review at 12 mos., and then again at 18 mos.; every year if child over 13; w/i 24 hrs of a violation of time regulation, court shall conduct a review of child's plcmt.	court p/p review hrg. w/i 45 days after plan received	if at time of 18 mo. review, child is not returned, p/p shall be extended only if the court finds circumstances are extraordinary	t.p.r. petition filed no later than 3 mos. from judicial review, or at 18 mos.; "advisory hrg." w/i 14 days of petition to t.p.r.; hrg. w/i 45 days of advisory hrg.

# Appendix A: Master Matrix

	Petition Filed	Emergency Hrg.	Adjudicatory Hrg.	Disposition Hrg.
GA	if child released from emerg. removal, petition filed w/i 30 days; petition filed w/i 5 days of detention hrg. if child not released	"informal detention hrg." w/i 72 hrs of protective custody	if child in custody, no later than 10 days after filing of petition; if child not in custody, hrg. w/i 60 days	immed. after adjudic. hrg., or at some postponed date; dispo. w/i 30 days of adjudic.; continuances may be given
HI	w/i 48 hrs of temp. custody	temp. foster care hrg. w/i 48 hrs of filing of petition; w/i 4 days of removal	w/i 15 days of filing of petition or w/i 10 days if child placed in "emerg. foster care;" adjudic. hrg. w/i 10 days from pretrial conf. (if needed)	if adjudic. stipulated, dispo. hrg. w/i 10 days, unless best interests; dispo. hrg. may be held immed. after adjudic. hrg. or w/i 30 days; may cont. up to 45 days from date of original dispo.
ID	not specified; form of petition given	w/i 48 hrs excluding s/s/h of removal	w/i 30 days of filing of petition; notice given w/i 24 hrs before hrg.	not specified; hrg. described; <i>note</i> , appeals w/i 30 days of entry of final order
IL	not specified; defined	"temporary custody hrg." w/i 48 hrs from removal	w/i 90 days of date of service of process; motion no later than 10 days; delay allowable up to 30 days (only one continuance granted)	w/i 30 days after entry of adjudic. finding; may be continued up to 30 days for dispo. report
IN	not specified	w/i 72 hrs (excl. s/s/h)	if allegations denied, "fact-finding hrg." immed. after initial hrg. (may be cont. up to 12 mos., unless child or parent requests it, then w/i 30 days)	not specified

	Court Reviews	Court P/P Review	Perm. Deadline	T.P.R.
GA	initially w/i 90 days of dispo. order but no later than 6 mos. following plcmt.; periodic reviews every 6 mos. (by judge, magistrate, or citizen review panel)	court "may at any time" conduct a review of the plcmt. plan	12 mos. from dispo. order; may extend duration for not more than 2 yrs.	not specified; <i>note</i> , if t.p.r. and no adoption, court shall review annually
HI	every 6 mos. until court's jurisdiction has terminated or court has order p/p and has set the case for p/p review hrg.	p/p review hrg. after 12 mos. (may be cont. up to 6 mos. from the date of the continuance or the case be set for a review hrg. w/i 6 mos.)	if child out of home, no later than 18 mos. or if service plan can exceed 1 yr.; court may set order to show cause for parent to show why a p/p hrg. should not be set; court shall order p/p for child w/i 3 yrs of date child first placed under foster custody	not specified
ID	not specified	not specified	dispo. decrees in effect for a period not to exceed 1 yr. from date entered; court may extend if in best interest	dept. may petition for t.p.r. after 3 mos. in custody; grounds; t.p.r. hrg. shall take place no sooner than 10 days after notice; if t.p.r. granted, review every 18 mos.
IL	"prelim. conf. review" if child is in home of close relative, court will review in 90 days; perm. reviews every 12 mos.	court review w/i 18 mos. of "shelter care order"	not specified	not specified; procedures and grounds described
IN	6 mos. after removal and every 6 mos. after (may be admin. panel); may be at any time after date of original dispo. decree, but at least every 6 mos. for first review	court hrgs. every 12 mos. after initial dispo. or removal	not specified	not specified; procedures explained

## Appendix A: Master Matrix

	Petition Filed	Emergency Hrg.	Adjudicatory Hrg.	Disposition Hrg.
IA	w/i 3 days of emerg. removal w/o order; w/i 3 days of ex parte order	hrg. on temp. removal at any time after petition filed	not specified; <i>note</i> , hrg. on temp. removal may serve as adjudic. hrg.	not less than 48 hrs after social services files dispo. report (can be waived if all parties agree); dispo. can be suspended for max. 12 mos. and cont. an additional 6 mos.
KS	not specified	w/i 48 hrs excl. s/s/h after removal (may be cont. to allow 24 hr notice)	w/i 30 days from filing of petition	may be entered at time of adjudic., but shall be entered w/i 30 days unless delayed for good cause
KY	w/i 72 hrs from emerg. removal	"temp. removal hrg." w/i 72 hrs from emerg. order, excl. s/s/h, or w/i 10 days of filing of petition	w/i 45 days of removal unless extended in child's best interests	dispo. must be made w/i 45 days of removal unless extended in child's best interests
LA	if child in custody, or protective order issued, petition filed w/i 30 days of emerg. hrg. (may be extended for good cause)	if child removed, w/ or w/o court order, hrg. w/i 3 days of removal; 1 continuance for no more than 3 days for good cause	w/i 15 days of filing of petition, court can request parents to appear and respond to alleg.; if alleg. denied, court shall set adjudic. hrg. w/i 45 days of filing of petition; if child not cont. in custody, adjudic. hrg. w/i 105 days of filing of petition	may be immed. after adjudic. but must be conducted w/i 30 days from adjudic. (extended for good cause)
ME	not specified; contents defined	"C-1 Hrg." held at "earliest possible date" after filing of petition or w/i 10 days from request of protection order	at "earliest practicable time and date" after petition filed; "C-2 Hrg."	"a.s.a.p." after adjudic. hrg. and w/i 18 mos. of filing of petition

Appendix A: Master Matrix

	Court Reviews	Court P/P Review	Perm. Deadline	T.P.R.
IA	review temp. custody order w/i 6 mos. unless dispo. hrg. held; initial review no longer than 6 mos. from date of dispo. hrg.; subsequent reviews no longer than 12 mos. from latest review	perm. hrg. after 12 mos. of original plcmt.; following an order to cont. plcmt. for additional 6 mos. court shall hold hrg.	if in foster care no longer than 12 mos., or if parents ceases to seek custody; plcmt. may be cont. up to 6 mos.	not specified; petition for t.p.r. described
KS	no later than 12 mos. after plcmt. out-of-home, yearly thereafter	not specified	max. duration of dispo. 18 mos. w/ extensions of 12 mos. at a time w/ good cause showing	not specified; <i>note</i> , hrg. to be held 18 mos. after t.p.r. and every 12 mos. thereafter; t.p.r. petition described
KY	not specified	annual reviews after 18 mos.; no later than 18 mos. from removal; annually thereafter	not specified	not specified; voluntary termination and involuntary termination described
LA	review hrg. 3 mos. after dispo. hrg. if child removed from home; review hrg. 6 mos. after dispo. hrg. if child not removed; hrg. every 6 mos. until p/p before court or admin. body	dispo. review every 12 mos. until child is permanently placed; dispo. remains in effect only until child reaches 18, if not earlier; w/i 12 mos. if child removed at dispo.; in no case more than 12 mos. from removal	not specified	unless abandoned, petition for t.p.r. (invol.) cannot be filed until child in custody for period of 18 mos. or longer
ME	at least once w/i 18 mos. from dispo. and every 2 yrs. thereafter; when subsequent judicial review not required, review of child in custody dept. w/i 18 mos.	at least once w/i 18 mos. and every 2 yrs. thereafter; w/i 18 mos. of final protection order, court p/p hrg. or continue reunif. efforts 6 mos.	final order to be issued w/i 18 mos. of filing of petition (unless good cause); if finding of heinous or abhorrent conduct, w/i 12 mos. of filing of petition	petition no earlier than 3 mos. after dispo.

# Appendix A: Master Matrix

	Petition Filed	Emergency Hrg.	Adjudicatory Hrg.	Disposition Hrg.
MD	w/i 30 days of receipt of complaint (if intake officer denies filing, Area Dir. may auth. filing); if child removed, a petition shall immed. be filed	hrg. on petition no later than next court day unless extended for good cause; hrg. on same day petition filed, may be postponed up to 8 days	w/i 60 days unless waiver petition filed, then 30 days after waiver hrg.; unless child in cont. shelter care, adjudic. hrg. w/i 30 days of date ordering cont. care	must be held on same day as adjudic. unless good cause; no later than 30 days from adjudic. hrg.
MA	w/i 24 hrs following temp. custody	ex parte order of removal valid for no more than 72 hrs	not specified; findings written w/i 10 days of hrg.; may be appealed	not specified; dispo. alternatives
MI	court may auth. filing of petition after prelim. hrg. upon showing of probable cause of 1 or more allegations	if child removed and parent of child found, shall immed. be brought before the court for a prelim. hrg.; hrg. must commence w/i 24 hrs after child removed (excl. s/s/h)	w/i 6 mos. of filing of petition if not in plcmnt.; w/i 63 days if in plcmnt. (may be postponed for specific reasons)	may immed. follow adjudic.; if child in plcmnt., then w/i 35 days (extended for good cause)
MN	w/i 5 days of temp. order or protection; w/i 72 hrs of emerg. removal if in shelter care (excl. s/s/h)	w/i 72 hrs from temp. custody (excl. s/s/h); court may continue custody for 8 days (excl. s/s/h), but may continue custody every 8 days upon informal review; "detention hrg."	in certain a/n cases (physical or sex. abuse), findings must be filed w/i 15 days of hrg.; if child in custody, adjudic. hrg. w/i 60 days from detention hrg., upon request of any party; may be cont. to 90 days or longer if good cause	not specified; dispo. alternatives
MS	w/i 5 days of hrg. if child removed from home; w/i 10 days of hrg. if child not removed from home	removal not to last more than 24 hrs unless judge auth.; judge may auth. temp. removal w/i 48 hrs (excl. s/s/h)	w/i 90 days of petition (unless extended for good cause); if child in shelter, w/i 30 days (unless postponed)	may be immed. after adjudic.; if child in custody, w/i 14 days after adjudic. hrg.

Appendix A: Master Matrix

	Court Reviews	Court P/P Review	Perm. Deadline	T.P.R.
MD	periodically, but not to exceed 18 mos.	reviews p/p every 6 mos.; if child placed in perm. foster care or kinship care, no review needed; if in long-term foster care, reviews at least every 6 mos.; 18 mos. after original plcmt., p/p hrg. w/ review every 18 mos.	perm. hrg. to review p/p plan no later than 10 mos. after dispo.; every reasonable effort shall be made to effectuate p/p for child w/i 24 mos.	if at p/p hrg., court decides to place for adoption, petition for t.p.r. to be scheduled in lieu of 6 mo. review hrg.
MA	any party may petition court for review (not more than once every 6 mos.); at least 18 mos. from dispo.	w/i 18 mos. and periodically thereafter	court shall enter final order of adjudic. and perm. dispo. w/i 15 mos. from date case first filed; may be extended for 3 mos. w/i 18 mos. of transfer of custody to dept. court to review	not specified; <i>note</i> , if parents consent to adoption and no home found w/i 60 days, agency must notify all foster care licensing agencies to find home
MI	review hrg. w/i 91 days after dispo. and every 91 days for first yr., every 182 days after p/p hrg. for child in foster care	hr. w/i 182 days after p/p hrg.; every 364 days after p/p hrg. must have new first hrg.; if child remains in foster care, every 182 days	p/p hrg. w/i 364 days after dispo.	court p/p hrg. if child not returned, court shall order preparation of t.p.r. w/i 42 days unless clearly shown not in child's best interest
MN	if child in residential facility; review every 6 mos. (residential facility defined as any group home or family foster home)	after p/p decisions made, hrg. as required by fed. law, if plan is adoption every 6 mos.; if child in residential facility, p/p hrg. w/i 12 mos.	not specified	permits t.p.r. w/i yr; presumption if out-of-home more than 1 yr and no indication of reunif. possible in near future; after t.p.r. dispo. hrg. w/i 18 mos. of foster care plcmt. and every 2 yrs after
MS	annual court reviews	not specified	goal to return child to parents or to court for t.p.r. and perm. plcmt. w/i 6 mos. of the child's plcmt. in foster care	for children under 3, t.p.r. will be initiated w/ 6 mos. and perm. plcmt. w/i 2 mos.; procedures and grounds described

## Appendix A: Master Matrix

	Filing Petition	Emergency Hrg.	Adjudicatory Hrg.	Disposition Hrg.
MO	not specified	temp. protective custody not to exceed 24 hrs	not specified	w/i 18 mos. of initial plcmt.
MT	w/i 48 hrs of emerg. plcmt.	w/i 20 days of issuance of temp. order for protection; may continue custody during investigation for 90 days with one 90 day extension	not specified, but date set when petition filed	w/i 30 days of adjudic. hrg.
NE	w/i 48 hrs from removal	w/i 48 hrs of removal (excl. nonjudicial days)	w/i 90 days from petition, unless good cause, continuances up to 6 mos.	not specified; <i>note</i> , no formal dispo. hrg. unless court orders plan that is different from dept. of social services, then "expedited review hrg."
NV	w/i 10 days of the protective custody hrg.	"protective custody hrg." w/i 72 hrs of removal (excl. s/s/h)	w/i 30 days of filing of petition, unless "good cause" shown	immed. following adjudic. hrg. to w/i 15 working days of adjudic.
NH	if ex parte order issued, law enforcement officer to file petition w/i 72 hrs (excl. s/s/h)	w/i 24 hrs of taking child into protective custody (excl. s/s/h); if child removed w/o court order, officer must immed. seek an ex parte order for cont. custody pending hrg.; if ex parte order issued, hrg. held w/i 10 days from date of order; hrg. not less than 24 hrs or more than 7 days after return of service of petition	w/i 30 days of filing of petition	final dispo. w/i 30 days after a finding of a/n; appeals w/i 30 days



Appendix A: Master Matrix

	Court Reviews	Court P/P Review	Perm. Deadline	T.P.R.
MO	once every 6 mos. from filing of petition	w/i 18 mos. of initial plcmt., post-perm. review at least every yr.	not specified; <i>note</i> , goal of court that the percentage of children in foster care in excess of 24 mos. shall not exceed 30% in any fiscal yr.	t.p.r. if child has been under the jurisdiction of the court for a period of 1 yr.
MT	order of temp. custody valid for 6 mos.; court to review recomm. of local citizen review brd. w/i 10 days; dispo. review hrg. w/i 18 mos. of plcmt., periodically thereafter for duration of foster care	not specified	not specified	court review w/i 180 days of term. to determine if child perm. placed; criteria for t.p.r., including "if parent unknown for period of 90 days"; if child not returned to parent/guardian, petition court w/i 30 days of hrg.
NE	when child in foster care, court review not less than once every 6 mos. and continues through adoption	not specified	after 18 mos., county to review no more than 30 days later to see if t.p.r. appropriate	not specified; procedures and grounds described
NV	at least semiannually from dispo.	no later than 18 mos. after most recent removal of child and annually thereafter; court may dispense with annual review if child perm. placed w/ relative, foster parent, or adoptive parent	not specified; <i>note</i> , presumption for t.p.r. if child out-of-home 18 out of the last 24 mos.	not specified; <i>note</i> , if child is placed out of home for 18 mos. of any 24 consecutive mos., the best interests of the child presumed served by t.p.r.
NH	"at any time" from dispo. but at least once a yr.	not specified	not specified	not specified; post t.p.r., review w/i 6 mos. from t.p.r. and reviews every 6 mos. thereafter

## Appendix A: Master Matrix

	Petition Filed	Emergency Hrg.	Adjudicatory Hrg.	Disposition Hrg.
NJ	complaint filed immed. or on first court day after emerg. removal	protective custody not to exceed 3 days; hrg. to be held next court day after emerg. removal	not specified; <i>note</i> , continuances for no longer than 30 court days; "fact-finding hrg."	may occur "immediately" after "fact finding hrg.", or can be postponed indefinitely if referred to division for annual review
NM	w/i 48 hrs from removal	w/i 10 days from date petition filed; not sooner than 2 days after petition filed; "custody hrg."	w/i 90 days from the latest of (1) date petition served; (2) date order of mistrial or new trial is filed; or (3) date of order dispensing appeal	may proceed immed. from adjudic. or at a postponed hrg.
NY	if temp. order, petition to be filed w/i 3 days, or child returned if good cause	in abuse case or when child removed w/o court order, hrg. "as soon as practicable" after filing of petition; parties may move for hrg. for return of child to be held w/i 3 days of application w/o continuances	"fact-finding hrg." given priority; continuances only for good cause and must be of short duration	may commence "immediately" after "fact-finding hrg."; suspended judgment for a max. of 1 yr. unless special or extreme circum., then may extend for an additional yr.
NC	w/i 12 hrs after removal, or 24 if 12 falls on s/s/h	child cannot be held under an order for custody for more than 7 days w/o hrg.; may be continued up to 10 days with parent consent	not specified	upon receipt of "sufficient social, medical, psychiatric, psychological, and educational info"
ND	if child removed, petition is to be promptly made	"shelter care hrg." w/i 96 hrs of removal; temp. orders for custody not to exceed 30 days	no later than 30 days after petition filed; 14 days if child "in detention"; extensions for good cause	"immediately" after adjudic. hrg., or at postponed hrg.; continued for a "reasonable time"

	Court Reviews	Court P/P Review	Perm. Deadline	T.P.R.
NJ	not specified	first p/p hrg. at 18 mos.; successive extensions of 1 yr. allowed	not specified	not specified; grounds and procedures described
NM	w/i 6 mos. of dispo. order and every 6 mos. after, dept. to petition court for review	not specified	dispo. order giving custody to agency remains in effect for an indeterminate time not to exceed 2 yrs.; court may extend agency custody for additional 1 yr. period	not specified; grounds and procedures described; court may proceed immed. with order of adoption; such order effective 60 days to allow time for counselling
NY	not specified; <i>note</i> petition to extend plcmt. to be filed w/i 60 days before expiration of plcmt. period except for good cause; any interested person can petition for termination of plcmt.; if denied, petition can be renewed for 90 days	not specified; <i>note</i> , if child freed for adoption, petition for hrg. to be filed w/i 60 days prior to end of mo. of period of plcmt. or date of extensions; if child not in prospective adoptive home, petition w/i 6 mos. after freed	if child less than 1 and abandoned, court to proceed to t.p.r. 6 mos. after agency gets custody; if child in foster care 18 mos. or if freed for adoption and w/i 6 mos. not in prospective adoptive home, or if in prospective home and no petition for adoption, perm. w/i 12 mos.	if child freed for adoption, petition for adoption filed 60 days prior to the end of the mo. which constitutes 18 mo. period of plcmt., or date of extensions; t.p.r. 6 months after child freed for adoption if not in adoptive home; t.p.r. 12 mos.
NC	w/i 6 mos. of date or order w/ subseq. reviews at least annually; court may waive review hrgs.	annual reviews; court may waive; at least w/i 6 mos. from t.p.r. and every 6 mos. after	not specified	review of t.p.r. petition every 6 mos. until adopted; child shall be informed no more than 30 days no less than 15 days of review
ND	not specified; <i>note</i> , parties may petition for modification of order	not specified	dispo. order placing child in foster care valid for 18 mos; all other dispo orders valid for 2 yrs.; extension not to exceed 18 mos. from expiration of foster care order; 2 yrs. from other orders'	not specified; grounds and procedures described; <i>note</i> , if child not adopted w/i 18 mos. returned to court for review; child to come before court if not adopted w/i 18 mos. of t.p.r.

## Appendix A: Master Matrix

	Filing of Petition	Emergency Hrg.	Adjudicatory Hrg.	Disposition Hrg.
OH	if child removed w/o filing a complaint, a complaint must be filed before the end of the next day	court shall hold hrg. on ex parte emerg. orders before the end of the next business day and w/i 72 hrs; hrg. w/i 72 hrs of removal	no more than 72 hrs after complaint is filed, court to set time; hrg. w/i 30 days of complaint, some extensions allowed; if child in shelter care, hrg. w/i 10 days unless continued for good cause	no later than 90 days after date complaint filed; hrg. can be held immed. or w/i 30 days of adjudic.; cont. allowed up to 90 days after date complaint filed; judgment to be made w/i 7 days
OK	w/i 5 judicial days of protective custody; if such a petition is not filed, custody of child shall be released to child's parent or legal guardian; in all such cases a petition shall be filed w/i 30 days of child being taken into custody	hr. w/i 24 hrs of application for emerg. medical or mental health tx; w/i 2 judicial days of removal, thereafter as required; no pre-adjudic. order valid for more than 30 days w/ one extension up to 60 days	no hrg. w/i 48 hrs after service of petition w/o parent consent (or w/i 5 days from mailing summons)	not specified; dispo. hrg. and order described; protective supervision order valid for 1 yr., plus extensions
OR	not specified	no child shall be held in shelter care for more than 24 hrs. (excl. s/s/h) w/o a hrg.; "shelter hrg."	hr. w/i 24 hrs after issuance of summons; may be cont. from time to time; no jury	not specified; described
PA	w/i 48 hrs of informal hrg.; petition presented to court w/i 24 hrs or next business day when emerg. removal	"informal hrg." w/i 72 hrs of plmt. in shelter care; conf. w/ parents/guardian if child in protective custody w/i 48 hrs.	w/i 10 days after filing of petition if child in shelter care, unless good cause up to an additional 10 days	hr. immed. or postponed, but no more than 20 days after adjudic. if child out-of-home
RI	not specified; petition described	hr. on ex parte petition w/i 7 days of filing	w/i 10 days of request for hrg.	not specified

	Court Reviews	Court P/P Review	Perm. Deadline	T.P.R.
OH	court to hold review hrg. w/i 1 yr. of complaint or removal	court may review at any time but no later than 1 yr. after date complaint first filed, and every yr. thereafter	order for temp. care valid for no more than 1 yr. from complaint or removal unless request for extension filed; court may grant additional 6 mo. extension	petition for perm. custody hrg. w/i 120 days of filing of motion, w/ extension for good cause; court must dispose of motion and enter order w/i 200 days after motion filed
OK	at least once every 6 mos.; notice of movement w/i 1 day; no second movement w/o court hrg.; case plan to be filed w/i 30 days after child adjudic. deprived; review pre-adjudic. or pre- dispo. cases of children in out-of-home plcmt. for 90 days; hrg. w/i 45 days of the 90th day	no later than 18 mos. after plcmt. and every 12 mos. thereafter court shall hold dispo. hrg.	not specified	hr. held w/i 10 days after receipt of notice; adoption after parental rights terminated cannot be challenged after 3 mos.
OR	court may hold a hrg. upon receipt of 6 mo. (or other) reports; court to hold hrg. w/i 30 days of request by party	not specified	not specified	when child released for adoption, agency shall file petition w/i 6 mos.; t.p.r. hrg. must be held w/i 10 days of notice;
PA	w/i 6 mos. of removal from home; second review w/i another 6 mos.; third review in another 6 mos., then every 12 mos.	not specified	not specified	not specified; grounds for termination and filing of t.p.r. petition
RI	not specified	not specified	w/i 12 mos. from plcmt. agency shall petition for dispo. hrg.; if court does not continue foster care, agency must institute t.p.r. proceedings w/i 30 days	court proceedings w/i 180 days of t.p.r. petition; at least every 12 mos.; after t.p.r., if not in adoptive home w/i 180 days, review and p/p

## Appendix A: Master Matrix

	Petition Filed	Emergency Hrg.	Adjudicatory Hrg.	Disposition Hrg.
SC	w/i 10 days of removal; initiate proceedings by end of next business day after initiating investigating of child emerg. removal	hrg. w/i 72 hrs of removal (excl. s/s/h) (may be video conference); dept. to convene family w/i 24 hrs of emerg. removal; "emerg. protective custody hrg."	hrg. must be held w/i 35 days of receipt of petition for removal; "removal hrg."	plan presented to court w/i 10 days of removal hrg.; court to hold hrg. if requested
SD	temp. custody no more than 48 hrs, excl. s/s/h w/o petition filed	"temporary custody hrg." w/i 48 hrs from temp. custody; reas. efforts finding required; judge or court designee to conduct hrg. immed. if child removed w/o court order	"advisory hrg." held before adjudic. hrg. to advise rights and receive admission or denial; if petition denied at pre-hrg., date set for adjudic.	immed. or at a later date set at adjudic.; continuances for up to 3 mos. between hrgs.
TN	if court orders temp. custody, petition must be filed w/i 2 days excl. s/s/h	"prelim. hrg." no more than w/i 72 hrs after removal excl. s/s/h (may be waived)	not specified	w/i 30 days after adjudic. hrg. for child in custody; after hrg. evid. on petition court shall make and file its findings; if court finds child is a/n it shall file written findings of fact w/i 30 days of close of hrg.
TX	petition to be filed w/i 60 days of vol. plcmnt.; w/o unnecessary delay after emerg. removal	w/i 1 working day after child taken into possession; if court unavail., at least w/i 3 days	no later than 14 days after the removal of the child, "full adversary hrg."	not specified
UT	on or before the date of the "initial shelter hrg."	"shelter hrg." w/i 72 hrs after removal of a child from home	upon the filing of a petition, court shall set the pretrial hrg. w/i 15 days from shelter hrg.; "pretrial hrg." may be cont. but "final adjudic. hrg." no later than 45 days from shelter hrg.	can be same date as the adjudic. hrg., but no later than 30 days after the date of the adjudic. hrg.

Appendix A: Master Matrix

	Court Reviews	Court P/P Review	Perm. Deadline	T.P.R.
SC	unless services are to term. earlier, review at least once every 12 mos. in protective services	if child over 14 and in perm. foster care, no reviews; if reunif. still plan, hrg. w/i 6 mos.; if t.p.r., annually after t.p.r.; in other specified cases, reviews every 6-12 mos., or upon request	not specified	not specified; consent of petition and order described
SD	review hrgs. every 6 mos.	not specified	not specified	not specified; <i>note</i> , findings may be made at dispo. review hrg.
TN	court or board to review plan at least annually	60 days from plcmt., review of plcmt. plan; review hrg. held after 18 mos. and every 12 mos. thereafter	not specified	not specified; procedures described; provisions if parents notified and fail to appear at review hrg.
TX	"initial review hrg." no later than 180th day after full adversary hrg.; subsequent review hrgs. shall be held no earlier than 5 1/2 mos. and not later than 7 mos. after the date of the last hrg.; no later than 60th day after "full adversary hrg.," "status hrg." held	not specified	not specified	not specified; <i>note</i> , if parental rights terminated, court shall review dept.'s efforts to place child for adoption once every 6 mos.; "Swift Adoption Teams" mandated by law, report annually to legislature; post t.p.r. reviews every 6 mos.
UT	following dispo. review hrg, "periodic" review hrgs. by court or "court-approved admin. body" w/i the dept. at least every 6 mos.	if child not returned at 12 mo. hrg., schedule final determination hrg. w/i 120 days	if child removed, reunif. efforts for max. of 12 mos. from date of removal; if child cannot be returned, p/p to be finalized; if child under 2, court may discontinue reunif. services at 6 mos.	not specified; <i>note</i> , intensive effort to place child in adoptive home w/i 30 days of t.p.r.

## Appendix A: Master Matrix

	Filing of Petition	Emergency Hrg.	Adjudicatory Hrg.	Disposition Hrg.
VT	not specified	if removed, child must be delivered to court immed. for an order of detention; w/i 48 hrs of order of removal "detention hrg."; 24 hr extension	if child in shelter care w/i 15 days from petition	may be held immed. but not later than 30 days after adjudic. finding
VA	not specified	emerg. removal order or hrg. w/i 72 hrs (excl. s/s/h), not to exceed 96 hrs; "prelim. removal hrg."	adjudic. hrg. to be set w/i 30 days of prelim. hrg.; at least 24 hrs notice	w/i 75 days of prelim. hrg.
WA	not specified; notification of petition filing described	hr. w/i 72 hrs excl. s/s/h w/o court order; hrg. can be cont. and rescheduled for a time w/i 72 hrs of request by parent or guardian	"fact finding hrg." on petition w/i 75 days unless exceptional circumstances; parties need not appear if agreed	immed. following "fact finding hrg." or w/i 14 days for good cause
WV	if child removed, petition must be filed w/i 2 judicial days	"prelim. hrg." w/i 10 days of removal w/ court order; or w/i 5 days notice if no removal; if temp. care ordered, must end w/i 60 days; in emerg., child can be removed, CPS must "forthwith appear" before court	not specified; <i>note</i> , hrg. to be held as near as possible to previous hrg.; w/ respect to hrg. at the end of an imprvmt. period, hrg. to be held w/i 60 days of termination of that period	not specified, but as soon as possible after previous hrg.; may terminate parental rights at dispo.
WI	w/i 20 days after filing of intake worker's recomm.; petition must be filed before emerg. hrg. when child removed	w/i 48 hrs from protective custody excl. s/s/h	"plea hrg." held w/i 30 days from filing of petition; if child invol. removed, plea hrg. w/i 30 days of request; hrs. may be jury trial	no more than 10 days after fact-finding hrg. if child in non-vol. custody; cannot be extended w/o hrg.; no more than 30 days for vol. custody; no later than 60th day after "full adversary hrg.," "status hrg." held



	Court Reviews	Court P/P Review	Perm. Deadline	T.P.R.
VT	for child under 3, upon motion court may hold review every 6 mos.; for children 3-6, review may be at 12 mos.	every yr. after 18 mos. review; to be reviewed 1 1/2 yrs. after custody initially transferred	not specified; "indeterminate period"	not specified; status conference set w/i 15 days of filing of petition for t.p.r.; grounds and procedures described
VA	foster care review hrg. to be set for w/i 6 mos. after foster care plan presented or reviewed (w/i 6 mos. of dispo. hrg.); agency must petition w/i 5 mos. of foster care plan review, court to schedule hrg. w/i 30 days	annual review; 12 mos. from dispo. hrg., except if in perm. foster care or w/i 30 days of petition; request for continuation of custody only for 6 mos.; must be w/i 12 mos. of dispo hrg.	not specified	not specified; procedures described
WA	review every 6 mos. (unless foster care review board) from date of plcmt. or date of adjudic., whichever is first; if child returned home, supervision for 6 mos.	at least every 12 mos. have a p/p hrg. unless perm. guardian, court to review every 6 mos.; every 6 mos. after p/p hrg.	perm. before 15 mos. in out of home care; for children 10 or under, p/p hrg. after 9 mos. in care and not later than 12 mos. after removal; for children over 10, hrg. after 15 mos. and before 18 mos. in care	grounds to t.p.r.; rights of parties, findings of fact, conclusions of law presented to court by prevailing party w/i 30 days of courts extension; extensions for good cause
WV	12 mos. after plcmt. agency to petition for review (hr. in chambers)	18 mos. after 12 mo. review and every 18 mos. after	not specified	not specified
WI	parties may request modification of dispo. order; court may hold hrg. w/ 3 days notice; plan review by court or panel every 6 mos. from date of plcmt.	not specified	dispo. orders valid only for 1 yr. or less; extension orders valid for no more than 1 yr., except if t.p.r. filed or appeal taken	if child in custody for 2 yrs. or more, agency must report on whether t.p.r. petition filed; procedure, may be jury; parent may petition for rehrg. up to 1 yr., appeal w/i 30 days; post t.p.r. annual review

## Appendix A: Master Matrix

	Filing of Petition	Emergency Hrg.	Adjudicatory Hrg.	Disposition Hrg.
WY	to be filed promptly upon emerg. removal w/o court order	"shelter care hrg." w/i 72 hrs of custody w/o court order	parties may request jury trial at adjudic.; if allegations denied at first hrg., adjudic. to be set w/i 60 days	may proceed immed. or postpone for a max. of 60 days from adjudic. hrg.

Appendix A: Master Matrix

	Court Reviews	Court P/P Reviews	Perm. Deadline	T.P.R.
WY	not specified	not specified	dispo. orders in effect for indefinite period, until child is 18 or terminated by court	not specified; procedures; right to jury trial



**Appendix B:  
Individual State Matrices**

**Legend**

adjudic.	= adjudication	invol.	= involuntary
admin.	= administration	mo(s).	= month(s)
alleg.	= allegations	not specified	= time frames not specified
a/n	= abuse or neglect	perm.	= permanent
auth.	= authorized	plcmt.	= placement
circum.	= circumstance	p/p	= permanency plan
conf.	= conference	prelim.	= permanency plan
cont.	= continued	reas.	= reasonable efforts
dept.	= department	recomm.	= recommendation
dispo.	= disposition	reunif.	= reunification
emerg.	= emergency	s/s/h	= Saturday, Sunday, holiday
eval..	= evaluation	subseq.	= subsequent
evid.	= evidence	temp.	= temporary
excl.	= exclusion	t.p.r.	= termination of parental rights
fed.	= federal	tx	= treatment
GAL	= guardian ad litem	vol.	= voluntary
fed.	= federal	w/	= with
GAL	= guardian ad litem	w/i	= within
hrq.	= hearing	wk(s)	= week(s)
immed.	= immediately	w/o	= without
		yr(s)	= year(s)

Appendix B: Individual State Matrices

ALABAMA

1996 Supp.

<b>Definitions</b>	12-15-1 26-16-2 26-16-2	"dependent child" abuse; neglect prevention act
<b>Voluntary Placement</b>	26-2A-7 ARJP 16	parents may delegate guardian for up to 1 year but not to circumvent (12-15) allows informal adjustment with agency including voluntary placement
<b>Emergency Hrg.</b>	12-15-60 26-14-6	w/i 72 hours of placement in shelter care temporary protective custody cannot exceed 72 hrs -- court and dept. must be notified immediately and proceedings initiated
<b>Petition Filed</b>	12-15-52 12-15-60 ARJP 12	contents to be filed and hearing held w/i 72 hours of placement in shelter care to be filed w/i 14 days of complaint unless informal adjustment
<b>Adjudic. Hrg.</b>	12-15-65 12-15-65(d)	adjudicatory hearing after filing of petition described (no times set)
<b>Agency or Citizen Review</b>	31-3320 CR 203 31-3801  31-3810 29-9003(5) 31-3801 31-9003	child death review commission foster care review board to monitor all cases referred to court foster care review board reviews all children in foster care no later than every 6 months may also be internal administrative review of all other foster children agency responsible to review plan every 6 months foster care review board system agency case review system
<b>Court Reviews</b>	12-15-74	reviews may be held upon motion (no times set)
<b>Court Permanency Plan Reviews</b>	12-15-62(c)	w/i 18 months of placement in foster care
<b>Permanency Deadline</b>	not specified	
<b>Agency or Citizen Review</b>	26-16-50; 51 26-16-52  26-14-7-1	multidisciplinary child protection teams; duties ad hoc child abuse protection team (reviews performance of multidisciplinary child protection teams; no times set) allegations against certified caretaker to go to investigative hearing

<b>Reports, Plans</b>	12-15-69 12-15-71(h) 12-15-71 26-14-7	predisposition report may be required by court after petition filed facilitation team report due w/i 21 days after petition filed team to prepare final plan investigatory report with recommendations of dept. must be "made available to the court" (no times set)
<b>Atty/GAL for Children</b>	26-14-11 12-15-8  12-15-63(b) 12-15-71(h)	attorney appointed for child in judicial proceedings court may appoint; must appoint when no natural or adoptive parent in position to exercise effective guardianship (1975) attorney appointed if adverse interests or where parent is a minor may appoint GAL for multi-needs child
<b>Attorney for Parent</b>	12-15-60(c) 12-15-63	counsel shall be appointed "as required" counsel shall be appointed if financial reasons
<b>CASA</b>	not specified	
<b>T.P.R. and Adoption</b>	26-18-9 26-18-7 26-18-9 26-10A 12-15-65(f)	court reviews yearly after t.p.r. grounds; procedures "periodic review" of efforts to achieve adoption at least yearly adoptions (no times set) court can proceed immediately from adjudication to t.p.r.
<b>Reasonable Efforts</b>	not specified	

## Appendix B: Individual State Matrices

### ALASKA

1996

<b>Definitions</b>	47.17.290	abuse; neglect
<b>Voluntary Placement</b>	47.14.100(c)	described; voluntary placements under 6 months
<b>Emergency Hrg.</b>	47.10.030 47.10.142	provides procedure, including notice of potential t.p.r. emergency and temporary placement hearing described; within 48 hours from notification (less than 60 hours from removal) hearing must be held
<b>Petition Filed</b>	47.10.020 47.10.070 47.10.142	described; court may order filing hearing on petition may be informal petition to be filed w/i 12 hours of removal or report filed if child returned
<b>Adjudic. Hrg.</b>	47.10.070 47.10.080(a)	provisions for hearing; may be informal at conclusion of hearing or thereafter as the circumstances of the case may require
<b>Dispo. Hrg.</b>	47.10.080(c) 47.10.080(c)(3)	provisions for disposition (no time set) may terminate parents' rights at time of first hearing
<b>Court Reviews</b>	47.10.080(f) 47.10.080(l) 47.10.142	annual permanency plan review p/p hearing w/i 18 months from removal or disposition w/i 18 months from commitment to department
<b>Court Permanency Plan Reviews</b>		may be substituted for citizen review (see below)
<b>Permanency Deadline</b>	47.10.080(c) 47.10.080(l)	placement less than two years; may be extended two years and an additional one year beyond age 19 18 months to p/p hearing
<b>Agency or Citizen Review</b>	47.10.080(m) 47.10.142(g) 47.14.200 47.14.220-240	notice to citizen out-of-home care review panel less than 60 days from removal notify parties of review panel w/i 60 days of emergency hearing or payment citizen review panels for permanency planning local panel reviews cases w/i 180 days of removal and every 6 months
<b>Reports, Plans</b>	47.10.081 47.14.204(g)	predisposition hearing reports from social workers 10 days before disposition hearing local panel advisory report w/i 30 days of review to all parties



<b>Atty/GAL for Children</b>	47.17.050 may appoint attorney or attorney to serve as GAL 44.21.410(a)(5)office of public advocacy to provide representation in certain circumstances
<b>Attorney for Parent</b>	18.85.100 public defender agency represents people entitled to representation under court's Child in Need of Aid Rules
<b>CASA</b>	44.21.410(a)(6)office of public advocacy to provide representation in certain circumstances
<b>T.P.R. and Adoptions</b>	47.10.080(c)(3)procedure to t.p.r. based on report of "reasonable efforts" (reasonable efforts not described); may terminate at first hearing; annual review to report on efforts to find permanent home 25.23.180 grounds for t.p.r./adoption
<b>Reasonable Efforts</b>	Court rule only

Appendix B: Individual State Matrices

ARIZONA  
1996

<b>Definitions</b>	8-531 8-546	definition for t.p.r. of abandonment and abuse definitions for protective services abandoned; abused; dependent child
<b>Voluntary Placement</b>	8-515 8-546.05	cannot remain in receiving foster home more than 3 weeks without court order - extensions to be reviewed every week voluntary placement should not exceed 90 days and not more than 2 consecutive periods within 24 mos. unless petition filed
<b>Emergency Hrg.</b>	8-223 8-515 8-546.06	temporary custody described; written notice within 6 hours to parents; parents may request hearing on temporary custody award without a court order, no child shall remain in a placement for more than 3 wks; extensions will be reviewed at least once/week review of temporary custody hearing; request must be made within 72 hrs and hearing held within 5 days of request
<b>Petition Filed</b>	8-223	petition to be filed within 48 hours of temporary custody
<b>Adjudic. Hrg.</b>	8-223	hearing to be set no more than 21 days from petition
<b>Dispo. Hrg.</b>	not specified	
<b>Court Reviews</b>	8-515	when child has remained in foster care for 1 year, the court shall review the disposition order for that child and conduct additional reviews once every year
<b>Court Permanency Plan Reviews</b>	8-515(c)	if child permanently placed in foster care, review annually
<b>Permanency Deadline</b>	8-515(c)	12 months after disposition order (may continue up to 6 months)
<b>Agency or Citizen Review</b>	8-515.01 8-515.03  8-515.04 8-546.10	local review care review boards -- assist court in review of cases duties of local review boards; shall review once every 6 mos. (incl. time in vol. placement); security review team to review each removal within 48 hours to assess service points state review board mediation program to mediate problems between parents and social services

<b>Reports, Plans</b>	8-511 8-511(c) 8-515.03 8-536 8-546.01	appropriate plan for perm. placement to be given to court after initial placement hearing or before initial hearing permanent plan to court less than 30 days after finding of dependency report by foster care review board to court within 30 days of review social study report must be submitted before t.p.r. hearing report of protective services workers must be made 48 hrs before dependency hearing or 21 days after petition filed
<b>Atty/GAL for Children</b>	8-522 8-225 8-535	court may appoint an adult as GAL (from S. Ct Pool) child has right to counsel; court shall appoint if indigent county attorney may intervene to represent child in t.p.r.
<b>Attorney for Parent</b>	8-225 8-535	appointment of counsel for parents for dependency hearings if indigent t.p.r. cases, court shall appoint a GAL for parent
<b>CASA</b>	8-522 8-523	S. Ct. shall certify special advocates CASA program established in administrative office of the supreme court (1991)
<b>T.P.R. &amp; Adoption</b>	8-531 8-533  8-535	definitions procedure for filing -- either child has been removed from home for 1 year and parent still neglects child, or child has been out of home for a total of 2 years and parent has not remedied circumstances then t.p.r. proceedings initiated hearing must take place within 10 days of notice to parents
<b>Reasonable Efforts</b>	not specified in rule or statute	

Appendix B: Individual State Matrices

**ARKANSAS**  
1997 Supp.\*

<b>Definitions</b>	12-12-503 abuse; neglect; abandonment 9-27-303(12) neglect; dependency 9-27-303(4) abuse 9-27-303(23) neglect 9-27-303(32) sexual abuse 9-27-303(31) reasonable efforts 9-27-303(33) sexual exploitation
<b>Voluntary Placement</b>	9-27-340 voluntary relinquishment of custody not to exceed 6 months
<b>Emergency Hrg.</b>	12-12-509 investigation begins within 72 hrs of report -- if severe maltreatment, investigation shall begin within 24 hrs -- determination made within 30 days 12-12-516 protective custody shall not exceed 72 hrs 9-27-315(a) w/i 5 days of issuance of ex parte order, hearing held
<b>Petition Filed</b>	9-27-310 described 9-27-313(f) petition to adjudicate must be filed w/i 96 hours from emergency
<b>Adjudic. Hrg.</b>	9-27-315(d) 30 days from emergency hearing; may be continued up to 20 days for good cause 9-27-328 hearing procedure described; findings w/i 30 days of hearing or prior to next hearing, whichever is earlier
<b>Dispo. Hrg.</b>	9-27-329 14 days after adjudicatory hearing (may be immediate) 9-27-329 disposition alternatives
<b>Court Reviews</b>	9-27-337 w/i 6 mos. after original placement and every 6 mos. thereafter
<b>Court Permanency Plan Reviews</b>	9-27-338 12 mos. after entering out-of-home placement, court to hold p/p hearing
<b>Permanency Deadline</b>	not specified
<b>Agency or Citizen Review</b>	not specified

## Appendix B: Individual State Matrices

<b>Reports, Plans</b>	12-12-514 12-12-515 9-27-355a 9-27-337(f) 9-27-338(e) Section 8 of Act 1227 of 1997	dept. must make investigation report available within 30 days dept. has 10 days to notify parties of investigation determination written case plan w/i 30 days of placement 6 month report permanency plan court case plan to court 30 days following petition or out-of-home placement, whichever sooner
<b>Atty/GAL for Children</b>	9-27-316(a) 9-27-316(e)	entitled to attorney in families in need cases GAL shall be appointed
<b>Attorney for Parent</b>	9-27-316(f)	counsel to be appointed if indigent
<b>CASA</b>	None	
<b>T.P.R. &amp; Adoption</b>	9-27-341 9-9-102 et seq. Adoption Code	grounds for t.p.r. (including dependency, neglect; out of home for 12 months)
<b>Reasonable Efforts</b>	9-27-338 9-27-303(31)	services prior to removal under emergency reasonable efforts

\*A.C.A 12-12-907 et seq. (Child Maltreatment Act); A.C.A. 9-27-301 et seq. (Juvenile Code)

Appendix B: Individual State Matrices

**CALIFORNIA**  
1997 Welfare and Institutions Code

<b>Definitions</b>	300	abuse, neglect, abandonment (implied in Code)
<b>Voluntary Placement</b>	360 16607.3	court may order guardianship with parent and minor consent placement limited to 6 months; may be extended another 6 months under certain circumstances
<b>Emergency Hrg.</b>	307 315 319 321	peace officer may set hearing before probation officer must be held w/i 1 judicial day of filing of petition hearing described may be continued up to 24 hours; a trial may be set w/i 10 days in lieu of hearing
<b>Petition Filed</b>	311  313 332	probation officer to immediately file if he decides to retain minor in custody  petition must be filed w/i 48 hours of removal, excl. non-judicial days contents
<b>Adjudic. Hrg.</b>	334  345 352(b)  387	w/i 30 days of petition, unless minor in out-of-home care; in abuse/neglect case it is w/i 15 days of order of detention given priority on calendar if child in custody no continuance if minor in custody which would result in disposition to exceed 60 days must be set 30 days from filing of petition
<b>Dispo. Hrg.</b>	358  361.5 364	disposition may be continued up to 10 days from adjudication if child detained, or up to 45 if not disposition alternatives if child is left in home, disposition continued up to 6 months
<b>Court Reviews</b>	366 366.21	no less frequently than every 6 months from disposition review proceedings
<b>Court Permanency Plan Reviews</b>	366.25	no later than 12 months from disposition hearing and in no case more than 18 months from removal
<b>Permanency Deadline</b>	361.25  366.22  366.25	if child 3 or older, services not to exceed 12 months; if child younger than 3, services not to exceed 6 months; may extend up to 18 months if substantial showing (sunset jan 1, 1999; new provision already enacted) hearing 18 months from date of removal to return or to order a permanency plan hearing to be held w/i 120 days from 18 month hearing no later than 12 months from disposition hearing and in no case more than 18 months from removal

<b>Agency or Citizen Review</b>	16503	agency review no less than once every 6 month
<b>Reports, Plans</b>	358.1 358 366.1 366.21	reports for disposition hearing contents disposition hearing case plan required court review report contents report required for review (sunset 1999; new provision)
<b>Atty/GAL for Children</b>	317(c) 317(e) 326	court shall appoint counsel if court believes minor will benefit duties social worker to serve as GAL unless court appoints another adult
<b>Attorney for Parent</b>	317	court may appoint if indigent; and shall appoint if child is to be placed in out-of-home care
<b>CASA</b>	356.5  Rules of Court 1424: Guidelines for CASA	child advocates, formed under CASA guidelines, may be appointed as GAL
<b>T.P.R. and Adoption</b>	361  366.26	parental rights may be terminated permanently if parents are unable to resume custody within 12 months proceeding

Appendix B: Individual State Matrices

**COLORADO**  
1996 Supp.

<b>Definitions</b>	19-1-103 19-3-102	abuse, neglect neglected child defined
<b>Voluntary Placement</b>	19-3-50(5)  19-3-701	court may continued adjudicatory hearing to allow child to remain in home or out-of-home with consent of parties; no longer than 6 months with a possible extension of 6 months review of voluntary placement within 90 days; involves use of public funds
<b>Emergency Hrg.</b>	19-3-403 19-3-403(3a)	hearing w/i 48 hours if child in facility not operated by department, or w/i 72 hours if in custody of department temporary protective custody not to exceed 72 hours
<b>Petition Filed</b>	19-3-502 19-3-312	contents county dept. must inform court within 72 hrs upon receiving child; petition filed w/i 10 days of emergency hearing
<b>Adjudic. Hrg.</b>	19-3-505	must be held within "earliest possible time" but not to exceed 90 days after service of petition -- delay granted in "best interests of the child"; when allegations of abuse of child under 6, adjudicatory hearing w/i 60 days
<b>Dispo. Hrg.</b>	19-3-505(7b)  19-3-507 19-3-508	should be held right after adjudicatory hearing or may be continued up to 30 days described disposition must be entered w/i 45 days of adjudication unless good cause; if child under 6 and victim of abuse, disposition, no later than 30 days from adjudication
<b>Court Reviews</b>	19-3-507(4)  19-3-508(d) (n)	if disposition out-of-home but not committed to department, review w/i 90 days of disposition if placement or treatment no longer appropriate, then hearing must be held w/i 5 days for further disposition
<b>Court Permanency Plan Reviews</b>	19-3-606 19-3-702(6)(7) 19-1-115(4c) 19-3-702	court to review case w/i 90 days of t.p.r. periodic review at least every 6 months review every 6 months as soon as possible after disposition hearing, but w/i 18 months of original placement; with child under 6 and child who is victim of abuse, in certain counties, 3 months after decree of adoption
<b>Permanency Deadline</b>	not specified	



## Appendix B: Individual State Matrices

<b>Agency or Citizen Review</b>	19-3-308 19-3-702(6)	child protection teams to review public and private agency response to abuse and neglect allegations periodic review post permanency plan may be administrative review conducted by department if agreement
<b>Reports, Plans</b>	19-3-209 19-3-402(4) 19-3-606 19-3-508(II)	individual case plan required (no times set) officer to file report with court upon emergency removal of child GAL report post t.p.r. "appropriate treatment plans" described (no times set)
<b>Atty/GAL for Children</b>	19-3-203 19-3-602	GAL appointed an attorney GAL shall be appointed in t.p.r.
<b>Attorney for Parent</b>	19-3-202 19-3-602(2) 19-3-607	parent may seek appointment if indigent in t.p.r. cases, counsel appointed -- no right to a jury trial indigent parent has right to one appointment of expert witness
<b>CASA</b>	19-1-111.5 19-1-202,202	court may appoint; GAL and CASA to collaborate establishment of CASA
<b>T.P.R. and Adoption</b>	19-3-502-508 19-3-508(3) 19-3-601 19-3-602 19-3-604 19-3-605 19-3-606 19-5-104 19-5-105 19-5(chp.2)	procedures t.p.r. may be entered at time of first disposition hearing procedure; no jury trial motion filed at least 30 days before hearing basis for termination request for placement with family members court review w/i 90 days of t.p.r. final order of relinquishment proceedings to t.p.r. adoption
<b>Reasonable Efforts</b>	19-3-208	services required to be provided

Appendix B: Individual State Matrices

CONNECTICUT  
1996 Supp.

<b>Definition</b>	46b-120	abused; neglected
<b>Voluntary Placement</b>	not specified	
<b>Emergency Hrg.</b>	46b-129(c)	hearing w/i 10 days of order of temporary custody
<b>Petition Filed</b>	17a-105 46b-129	judge may issue order for immediate custody of child following arrest for abuse; order valid for 7 days unless petition filed who may file for removal
<b>Adjudic. Hrg.</b>	not specified	
<b>Dispo. Hrg.</b>	46b-129	may be committed for period of 1 yr if found to be neglected or uncared for -- 90 days after 12 mos., there must be a petition for review
<b>Court Reviews</b>	46b-129 sub(e) extensions on permanency plan filed 90 days before permanency plan hearing (may extend up to 12 months)	
<b>Court Permanency Plan Reviews</b>	17a-110	department to file permanency plan w/i 60 days of 12 months hearing; court to promptly set hearing
<b>Permanency Deadline</b>	46b-129 46b-129(e) 46b-129(e) 17a-110	court may commit child to care of department for up to 12 months petition on permanent plan; an extension to be filed 90 days before permanency planning hearing; may extend up to 12 months department to file permanency plan w/i 60 days of hearing if findings of no further efforts permanency plan (deadline not specified)
<b>Agency or Citizen Review</b>	17a-106(a)	multidisciplinary teams to review certain cases to assess (no times set)
<b>Reports, Plans</b>	17a-110 17a-112(i) 45a-717	permanency plan definition; duties after t.p.r., statutory parent or child's guardian to file report with court w/i 90 days and then every 6 months agency has 90 days to submit report to t.p.r. hearing

<b>Atty/GAL for Children</b>	17a-101 46b-129(a) 46b-136	child shall be represented by counsel during proceedings and appointed a GAL court shall appoint counsel and shall appoint GAL also when requested appointment of attorney for child at discretion of judge, parent, or guardian
<b>Attorney for Parent</b>	46b-135(b)	parents have right to counsel -- if indigent, will be appointed
<b>CASA</b>	Sec. 51-10(b) of CGS	establishment, duties
<b>T.P.R. and Adoption</b>	17a-112  45a-716 45a-717 46b-129(c)	t.p.r. child committed to petitioner -- where t.p.r. granted G.A.L. has 90 days to report a case plan -- for at least 12 mos. thereafter, dept. shall review plan and make report to court -- after the report the court shall review plan at least once per year until child is adopted t.p.r. hearing shall be held no longer than 30 days after filing petition conduct of hearing -- t.p.r. after no less than one year removal petition for t.p.r. to be filed w/i 60 days of 12 month hearing when finding of no further efforts required (if no other permanency plan filed)
<b>Reasonable Efforts</b>	46(b)-129(e) 45(a)-717(i)	reasonable efforts determination reasonable effort determination

Appendix B: Individual State Matrices

**D.C.**  
1997 Supp.  
Superior Court Rules Governing Neglect Proceedings (SCR-Neglect)

<b>Definitions</b>	6-2101 16-2301(9) 22-901	abused neglected child; abused child "child in need of service"
<b>Voluntary Placement</b>	16-2314	consent decree after petition up to 6 months with extension of 6 months
<b>Emergency Hrg. or "Shelter Care Hrg." or "Initial Appearance"</b>	16-2313(1) 16-2308 SCR 12	held w/i 1 day (excl. s/s/h) of removal (with probable cause fact-finding) initial appearance no longer than 5 days after petition filed (probable cause hearing) 5 day continuance may be granted
<b>Petition Filed</b>	16-2305(d) 16-2312(a) SCR 10	petition must be filed within 7 weekdays after complaint if child removed, petition to be filed at or before emergency hearing petition described
<b>Adjudic. Hrg. or "Fact-finding Hearing"</b>	16-2308 16-2317 16-2320 SCR 16	court may set adjudicatory hearing at "initial appearance" described possible dispositions described
<b>Dispo. Hrg.</b>	16-2317 SCR 16(d) 16-2320	after notice, court to proceed with disposition hearing; may postpone to await reports court may hold disposition hearing immediately after adjudication, or w/i 45 days, unless circumstances require otherwise possible dispositions
<b>Court Reviews</b>	SCR 13;20 SCR 22 16-2323	reconsideration and appeal of shelter care w/i 48 hrs disposition review every 6 months for children under 6 committed to facility or institution or other children so committed, for first 2 years; annual review for other children
<b>Court Permanency Plan Reviews</b>	16-2320 SCR 22  SCR 23(f)  SCR 26 SCR 22(f)	permanency plan reviews w/i 30 days permanency plan hearing -- prior to the child having been in custody for 18 mos. a review hearing to determine why child has not been returned, t.p.r has not commenced, or petition for adoption not filed - - determination shall be made annually for children who remain in custody for 3 yrs or more annual hearing on permanency plan for children in custody for 3 years or more reviews every 6 months post termination when child in custody of department 18 months, hearing to be held to see why permanency not accomplished

<b>Permanency Deadline</b>	16-2322	dispositional orders shall remain in force for a period not exceeding 2 yrs. -- extensions possible
<b>Agency or Citizen Review</b>	16-2323	agency review every 6 mos.
<b>Reports, Plans</b>	6-2107 16-2319 16-2323	social services must file report of investigation with court 5 days before shelter care hearing predisposition study and report (no times set) social services has 10 days to file report before a review hearing
<b>Atty/GAL for Children</b>	SCR 27	attorney shall be appointed to be GAL for child
<b>Attorney for Parent</b>	16-2304 SCR 27	court shall appoint if parent indigent if indigent shall appoint; may appoint anyway and force parent to pay
<b>CASA Vols.</b>	not specified	
<b>T.P.R. and Adoption</b>	SCR 25 SCR 26 16-2320(6)	t.p.r procedures review every 6 mos. until final adoption t.p.r. may be granted at time of disposition hearing
<b>Reasonable Efforts</b>	6-2107 outlined; submitted to court 5 days before adjudicatory hearing	

Appendix B: Individual State Matrices

**DELAWARE**  
1996 Supp.  
1997 Vol. Family Court Civil Procedure Rules

<b>Definitions</b>	16-902 child abuse; neglect 31-301 dependent child; neglected child 11-1101 abuse, neglect, dependency (also defined 29-9001, 31-3602)
<b>Voluntary Placement</b>	CR 201 "consent to placement agreements" valid for 90 days
<b>Emergency Hrg. or "Probable Cause Hrg."</b>	CR 200 emergency removal without consent of court "promptly" read petition and granting of custody to child protective services CR 201 "court mediation conference" -- in allegations of neglect or abuse in non-emergencies; "consent to place agreement valid for 90 days"; not in cases of emergency removal CR 202 emergency removal with probable cause, hearing within 10 days before a judge; if probable cause, child protective services must file a service and treatment plan 15 days after probable cause hearing
<b>Petition</b>	16-905 petition to be filed when investigation shows abuse/neglect CR 3(a) commencement of action 13-906 contents of adoption petition 31-3607 CASA may petition
<b>Adjudic. Hrg.</b>	CR 203 within 30 days of probable cause hearing
<b>Dispo. Hrg.</b>	CR 203 may be at time of adjudicatory hearing 10-1009 disposition alternatives
<b>Court Reviews</b>	not specified
<b>Court Permanency Plan Reviews</b>	not specified
<b>Permanency Deadline</b>	31-3818 not specified; plan to be prepared

<b>Agency or Citizen Review</b>	31-3320 CR 203 31-3801  31-3810 29-9003(5) 31-3801 31-9003	child death review commission foster care review board to monitor all cases referred to court foster care review board reviews all children in foster care no later than every 6 months may also be internal administrative review of all other foster children agency responsible to review plan every 6 months foster care review board system agency case review system
<b>Reports, Plans</b>	CR 202  29-9003(4) 31-3606	if probable cause, child protective services must file a service and treatment plan 15 days after probable cause hearing agency plans (no times set) CASA reports
<b>Atty/GAL for Children</b>	31-3601	CASA may be appointed; CASA is GAL with attorney representation
<b>Attorney for Parent</b>	CR 204	attorney for parent may be appointed if indigent
<b>CASA Vols.</b>	CR 205  31-3601-3613	CASA may be appointed; purpose, definition, composition, duties, rights purpose, definition, duties, rights, liability
<b>T.P.R. and Adoption</b>	CR111 13-901-956 13-111-1114	hearing must be private and confidential adoption procedures t.p.r. grounds and procedures (no times set)
<b>Reasonable Efforts</b>	CR 200	must be made to prevent or eliminate need for removal

Appendix B: Individual State Matrices

**FLORIDA**  
1997 Supp.

<b>Definitions</b>	39.01 415.503	abandoned; abused; neglected abused and neglected child
<b>Voluntary Placement</b>	39.453(3a) 30.453(f) 415.505(1)(d)	review of voluntary placement without court notification for 30 days unless second voluntary placement in 12 months, otherwise notify court authorizes voluntary agreements for services or placement
<b>Emergency Hrg.</b>	39.4055 39.404 30.401	next day emergency hearing no child shall be held in custody for longer than 24 hours without an order; no child shall be held in a shelter for longer than 21 days without an order of adjudication hearing within 24 hours of removal
<b>Petition Filed</b>	39.402(8) 39.404 415.506	petition to be filed within 7 days after child taken into custody within 7 days from removal or within reasonable time of investigation petition to be filed if child in protective custody more than 24 hours
<b>Adjudic. Hrg.</b>	39.402 39.402(8)	within 14 days of custody, or "as soon as practicable" after filing of petition, "arraignment hearing" must be held (parents can consent to or deny dependency) --cannot be held longer than 21 days without an adjudicatory hearing adjudicatory hearing must be entered within 21 days after emergency order of placement in shelter care; "arraignment hearing" within 14 days after child taken into custody with adjudicatory hearing within 7 days of arraignment
<b>Dispo. Hrg.</b>	39.402(9) 39.41	must be held within 30 days of adjudication for child in shelter care (with some delays and continuances granted) disposition alternatives
<b>Court Reviews</b>	39.41 39.402 39.453	court jurisdiction over case of abuse or neglect ends if child returns to parents --for 6 months (also 39.453) within 24 hrs. of violation of a time regulation, court shall conduct a review of child's placement within 6 mos., first review conducted, second review at 12 mos., and then again at 18 mos. (every 6 mos., the court reviews the case if the child is under 13, every year if child is over 13).
<b>Court Permanency Plan Reviews</b>	39.402 see court reviews	court review within 45 days after plan received -- review defined



<b>Permanency Deadline</b>	39.453	if, at the time of the 18 mo. review, the child is not returned to custody of parents, permanent plan shall be extended only if the court finds that the circumstances are extraordinary and the plan should be extended
<b>Agency or Citizen Review</b>	39.453 39.453 39.4531 39.453(3)(d)	agency must file petition for removal 10 days before the scheduled judicial review hearing citizen review described citizen review panels administrative reviews may be substituted for court reviews except for first one and annual one
<b>Reports, Plans</b>	39.4031 39.453(3)(e) 39.451 39.452	case plan predisposition report to all parties 48 hours before disposition hearing case plan for child in foster care within 30 days of removal permanent placement plan defined; within 30 days of placement, plan reported; extensions allowable, but not to exceed 30 days
<b>Atty/GAL for Children</b>	40.402(7) 415.508	court to appoint GAL at emergency hearing unless it finds unnecessary appointment of GAL for children "at the earliest possible time"
<b>Attorney for Parent</b>	39.40(1)  39.463 39.465	if unable to afford counsel and threatened with criminal charges based on conduct or with permanent loss of children --must have appointment advise re: right to counsel in t.p.r. cases at each stage of the proceeding under t.p.r. cases, court shall advise parent/guardian of right to counsel
<b>CASA</b>	415.5082 415.5084-5089	"Guardian Advocates"; provisions for appointment of a guardian advocate to oversee needs of drug dependent duties, responsibilities
<b>T.P.R. Adoption</b>	39.454 39.464(2) 39.466 39.467 39.469	petition to t.p.r. filed no later than 3 mos. from judicial review hearing if agency initiated, or at 18 mos. petition to t.p.r. may be filed simultaneously with petition for dependency advisory hearing within 14 days of petition to t.p.r. adjudicatory t.p.r hearing within 45 days of advisory hearing disposition hearing t.p.r.-- predisposition report to parents/guardians within 48 hrs. prior to disposition hearing
<b>Reasonable Efforts</b>	39.01 39.41(3d)	definition "diligent efforts" when dept. has made reasonable efforts

## Appendix B: Individual State Matrices

### GEORGIA 1997 Supp.

<b>Definitions</b>	19-14-2 19-15-1,2 19-15-1 15-11-2	abuse; neglect deprived child abused child deprived child
<b>Voluntary Placement</b>	15-11-14	informal adjustment for up to 3 months from petition
<b>Emergency Hrg.</b>	15-11-21(3)	if child taken into custody, an "informal detention hearing" shall take place not later than 72 hrs.
<b>Petition Filed</b>	15-11-21(b) 12-11-21(e) 15-11-25	if child released from emergency removal, petition to be filed w/i 30 days petition filed w/i 5 days of detention hearing if child not released contents of petition
<b>Adjudic. Hrg.</b>	15-11-26	after petition filed, court shall fix time for hearing; if child is in custody, hearing shall take place no later than 10 days after filing of petition; if child is not in custody hearing w/i 60 days
<b>Dispo. Hrg.</b>	15-11-33 15-11-34	immediately after adjudicatory hearing or at a postponed hearing; if in custody, disposition w/i 30 days of adjudication; continuance may be given possible dispositions
<b>Court Reviews</b>	15-11-41(j) 15-11-34 15-11-34(d)	w/i 90 days of first disposition order but no later than 6 months from placement (by judge, magistrate, or citizen review panel); periodic reviews every 6 months court may at any time conduct a review of the placement plan all cases shall be initially reviewed within 90 days of entering the dispositional order but no later than 6 mos. following the child's placement, and shall be conducted by juvenile court judge, or properly designated referee or judge pro tempore, or by judicial citizen review panel; additional periodic reviews shall be held every 6 mos.
<b>Court Permanency Plan Reviews</b>	15-11-90 15-11-90(d)	court may "at any time" conduct a review of the plcmt. plan if t.p.r. and no adoption, court shall review annually
<b>Permanency Deadline</b>	15-11-41 15-11-41(e) 15-11-41(f)	disposition placing child in foster care is valid for 12 months may be extended up to 2 years court which made disposition order may extend its duration for not more than 2 yrs

## Appendix B: Individual State Matrices

<b>Agency or Citizen Review</b>	15-11-34	citizen review panel submits recommendations to the court re: case plan
	15-11-34(d)	citizen review panels may conduct reviews of cases in lieu of court (no times set)
	19-15-3	child death review committee
	15-11-41(j)	if review by citizen review panel, report to court w/i 5 days (either party can object)
<b>Reports, Plans</b>	15-11-32	social study and report must be received by court prior to hearing on need for shelter and disposition
	15-11-41	w/i 30 days of the date of removal of the child from the home dept. shall include a case plan for reunification of the family; plan described
	15-11-41	if review is conducted by citizen review panel, panel's recommendations must be submitted to court, parents, agency, guardian w/i 5 days of review -- any party may request a hearing on the plan w/i 5 days of receiving the review
<b>Atty/GAL for Children</b>	15-11-85	in any proceeding to t.p.r., court shall appoint an attorney to represent child and may appoint a separate GAL or a GAL who may be same person as attorney
<b>Attorney for Parent</b>	15-11-30	right to counsel; indigent person defined; counsel appointed if parent indigent.
	15-11-85	in t.p.r. cases, if parent desires representation by counsel, and the parent is indigent, court shall appoint an attorney
<b>CASA</b>	not specified	
<b>T.P.R. Adoption</b>	15-11-81	grounds for t.p.r.
	15-11-82	petition to t.p.r.
	15-11-90	placement of child following t.p.r.
<b>Reasonable Efforts</b>	not specified	

Appendix B: Individual State Matrices

HAWAII  
1995 Supp.

<b>Definitions</b>	321-36 350-1 587-2	definitions abuse, neglect definitions abuse, neglect definitions "harm"; "imminent harm"; "threatened harm"
<b>Voluntary Placement</b>	587-21(b)(2) 587-24(c)(2)	voluntary placement up to 6 months after emergency removal, department may enter into voluntary agreement within 2 days (before petition)
<b>Emergency Hrg.</b>	587-53(a) 587-53(i)	temporary foster custody hearing set within 2 days of filing of petition; within 4 days of removal hearing may be continued for no longer than 15 days
<b>Petition Filed</b>	587-31 587-21(3) 587-62  587-62(4)	form of petition within 2 days of temporary custody, petition must be filed when a petition has been filed, the court shall set a return date to be held within 15 days of the filing of petition or the date a decision is orally stated by the court on the record in a temp. foster custody hearing if child has been removed from home, the court shall set the case for an adjudication hearing or disposition hearing within 10 working days of the return date or later if in best interests
<b>Adjudic. Hrg.</b>	587-62  587-63 587-63(c) 587-62(b)(4) 587-63	pretrial conference within 15 days of filing petition or within 10 days if child has been placed in emergency foster care; adjudicatory hearing set within 10 days from pretrial conference petition sustained or not sustained temporary foster custody may be ordered pending disposition adjudicatory hearing to be set within 10 days of pretrial, if needed hearing procedure described
<b>Dispo. Hrg.</b>	587-62(b)(4)  587-63(c)  587-24  587-71	if adjudication stipulated, disposition hearing to be set within 10 days unless best interests disposition hearing may be held immediately after adjudicatory hearing disposition hearing immediately after adjudicatory hearing or within 30 days disposition hearing described; court may continue disposition hearing to 45 days from the date of the original disposition hearing (unless later date is "in best interests of the child"); in any case that a permanent plan hearing is not deemed to be appropriate, the court shall set the case for review hearing within 6 months
<b>Court Reviews</b>	587-72	review hearing every 6 mos. until court's jurisdiction has terminated or the court has ordered a permanent plan and has set the case for a permanent plan review hearing

<b>Court Permanency Plan Reviews</b>	587-73 587-72,73 587-73(b) 587-73(b)(5)	permanency plan hearing described after 12 mos.; review described permanent plan review hearing; may be continued for a reasonable time not to exceed 6 mos. from the date of the continuance or the case be set for a review hearing within 6 mos. review hearing every year until disposition or guardianship
<b>Permanency Deadline</b>	587-72(c)(3) 587-73(e) 587-73(i)	if child out of home, no later than 18 months or if service plan can exceed one year, court may set "order to show cause hearing" for parent to show why a permanency plan hearing should not be set the court shall order a permanent plan for child within 3 yrs of the date upon which child was first placed under foster custody by the court court may continue permanency plan hearing up to 6 months
<b>Agency or Citizen Review</b>	None	
<b>Reports, Plans</b>	587-27 587-40(1) 587-40(3) 587-71	permanent plan; should include "a reasonable period of time" during which the adoption or guardianship of child should be finalized dept. shall make "every reasonable effort" to submit report within 48 hrs subsequent to the hour of the filing of petition for temporary foster custody dept must make report at least 15 days prior to date set for disposition, review, permanent plan, and permanent plan review hearing plan submitted to court within 30 days
<b>Atty/GAL for Children</b>	587-34 587-34(c)	GAL appointed for child for all proceedings; court may appoint additional counsel for the child duties GAL
<b>Attorney for Parent</b>	587-34(a) 587-34(d)	court appointed counsel for any party if party is indigent (permissive), counsel is necessary to protect party's interests adequately court may appoint GAL for any party that is incapable of comprehending the proceedings (GAL must report to court in writing at 6 mo. intervals)
<b>CASA</b>	None	
<b>T.P.R. and Adoption</b>	571-61;63 578 584	no t.p.r. unless to facilitate a legal adoption; parents duty to support continues until adopted adoption Uniform Parentage Act
<b>Reasonable Efforts</b>	587-25	"Safe family home guidelines" -- considered when determining whether the child's family is willing and able to provide for child

Appendix B: Individual State Matrices

**IDAHO**  
1997 Supp.

<b>Definitions</b>	16-1602	abused; abandoned; neglected
<b>Voluntary Placement</b>	15-5-104	parent may delegate custody up to 6 months, or if in military up to 12 months
<b>Emergency Hrg.</b>	16-1613(b) 16-1613(c) 16-1614 16-1616	shelter care hearing w/i 48 hours excl. s/s/h, of removal hearing w/i 24 hours if alleged offender removed from home hearing defined authorization for emergency medical treatment
<b>Petition Filed</b>	16-1605	not specified; form of petition
<b>Adjudic. Hrg.</b>	16-1608 16-1612 16-1614	held w/i 30 days of filing of petition shelter care or adjudicatory hearing must take place w/i 48 hours of emergency custody shelter care hearing described; notice given at least 24 hrs before shelter care hearing; court shall issue order for temporary custody within 24 hrs of hearing
<b>Dispo. Hrg.</b>	16-1610 16-1617	not specified; disposition hearing described appeal; within 30 days of entry of final order
<b>Court Reviews</b>		not specified
<b>Court Permanency Plan Reviews</b>		not specified
<b>Permanency Deadline</b>	16-1610	disposition decrees are in effect for a period not to exceed 1 yr from date entered; court may extend if in best interests of child
<b>Agency or Citizen Review</b>	16-1609(A) 16-1622	multidisciplinary teams to investigate allegations agency/dept. review every person in custody at intervals not exceeding 6 mos -- reports of review filed with court
<b>Reports, Plans</b>	16-1609  16-1610(c) 16-1631 16-1622(i)	where the court has ordered a shelter care hearing or when a petition is filed, the court shall order the dept. to investigate and report to court; report delivered to court w/i 5 days before date set for adjudicatory hearing written case plan w/i 30 days of placement GAL report w/i 5 days before date set for adjudicatory hearing dept. shall report progress of child under its custody at intervals not to exceed 6 mos.

<b>Atty/GAL for Children</b>	16-1618 16-1631 16-1632	court shall appoint GAL; may appoint counsel for child or for GAL duties GAL rights and powers GAL
<b>Attorney for Parent</b>	16-1618 16-2007	court may appoint counsel if requested court may appoint GAL for any party in t.p.r. cases, including "alleged incompetent parent"
<b>CASA</b>	16-1630 16-1631	"child advocate" duties; guardian ad litem program GAL duties
<b>T.P.R. and Adoption</b>	16-1615  16-1619 16-2001 to 2015  16-1615	dept. may petition to t.p.r. after 3 mos.; no petition for termination shall be made w/i 6 mos. of a prior petition for such termination t.p.r. procedure definitions, procedures (petition, conditions under which termination granted --e.g. failure of parent to maintain relationship for a period of 1 yr -- @ 2007 hearing shall take place no sooner than 10 days after notice -- @2008 agency shall have 30 days to complete and submit its investigation -- @ 2009 hearing if t.p.r. granted, hearing every 18 months
<b>Reasonable Efforts</b>	not specified	

## Appendix B: Individual State Matrices

### ILLINOIS 1997 Supp.

<b>Definitions</b>	325-2/3 705, 405/2-3 325-8.2 405/2-4 <sup>1</sup>	abused, neglected, child in protective service defines neglected or abused minor family preservation services dependent minor
<b>Voluntary Placement</b>	325-5/8.2	service plan which family may voluntarily sign
<b>Emergency Hrg.</b>	405-2/9 405-2/10	temporary custody hearing -- 48hrs from removal -- must be brought before judicial officer hearing defined; order expires in 10 days unless removed
<b>Petition Filed</b>	405-2/-13	not specified; defined
<b>Adjudic. Hrg.</b>	405-2/14 405-2/21	within 90 days of date of service of process -- motion no later than 10 days -- delay allowable up to 30 days -- only one continuance granted adjudicatory hearing described
<b>Dispo. Hrg.</b>	405-2/21(2) 405/2-23	not later than 30 days from entry of finding (written) adjudication; may be continued once for up to 30 days for disposition report disposition alternatives
<b>Court Reviews</b>	405-2/28 314	permanency reviews every 12 months "preliminary review conference"; if in home of close relative, court review in 90 days -- information reported under SEC 4.3 in 180 days - - once placed in shelter care, child not returned to parent/guardian until court finds placement no longer necessary see p/p reviews below as well
<b>Court Permanency Plan Reviews</b>	405-2/10-1 405-2/28	case plan filed with court within 30 days court review within 18 mos. of shelter care order
<b>Permanency Deadline</b>	not specified	
<b>Agency or Citizen Review</b>	325-5/7.1 505-4a	multidisciplinary review teams to prevent and monitor child abuse/neglect child abuse prevention shelters

<sup>1</sup>All Stats. 705ILCS



## Appendix B: Individual State Matrices

<b>Reports, Plans</b>	405/2-28 325-5/8.2 405-2/10.1	case plans for prior 6 months at every 12 month permanency hearing; GAL reports every 6 months service plan case plan within 45 days from placement
<b>Atty/GAL for Children</b>	405-2/17	court shall appoint GAL upon filing of petition; if GAL is not an attorney, GAL shall be represented by counsel; duties
<b>Attorney for Parent</b>	405-1/5	appointment if indigent
<b>CASA</b>	405-2/17.1	CASA may also serve as GAL except in counties with populations larger than 3 million
<b>T.P.R. and Adoption</b>	405-2/29 20/505-35.2	adoption procedures, grounds t.p.r.
<b>Reasonable Efforts</b>	405-2/10 325-5/5 405-3/12(2)	prevention of removal "reasonable" "reasonable"

**INDIANA**  
1996 Supp.

<b>Definitions</b>	31-6-4-3 31-6-11-2.1	child in need of services (includes abuse and neglect) child abuse or neglect
<b>Voluntary Placement</b>	31-6-4-12 31-6-11-13.5	court may authorize informal adjustment with consent of parents; cannot exceed 6 months, with one extension of 6 months voluntary services referral agreement
<b>Emergency Hrg. or "Detention Hrg."</b>	31-6-4-6(f)	w/i 72 hours (excl. s/s/h) after removal
<b>Petition Filed</b>	31-6-4-10	prosecutor must request permission to file; court to authorize if it finds probable cause
<b>Adjudic. Hrg.</b>	31-6-4-13.6 31-6-4-14(d)	defined; no time limit; if allegations denied at initial hearing, fact-finding hearing may be held immediately or at a continued hearing after hearing, before judgment, court may continue up to 12 months, unless child or parent requests it, then w/i 30 days
<b>Dispo. Hrg.</b>	31-6-4-15.3 31-6-4-15.4	not specified; disposition hearing described disposition alternatives
<b>Court Reviews</b>	31-6-4-19(b) 31-6-4-19(c)	6 months after removal and every 6 months after; may be by administrative panel court to hold hearing 12 months after initial disposition or removal
<b>Court Permanency Plan Reviews</b>	31-6-4-19(c)	court hearings every 12 months after disposition or removal
<b>Permanency Deadline</b>	not specified	
<b>Agency or Citizen Review</b>	31-6-4-19(b) 31-6-11-14	6 month hearing may be before administrative review panel appointed by director of department community child protection teams
<b>Reports, Plans</b>	31-6-4-4 31-6-4-6.6 31-6-4-12 31-6-4-15 31-6-4-19(c)	w/i 24 hours of emergency removal, written documentation to be given to CPS case plan; no later than 60 days after child's first placement or disposition decree (whichever comes first); must include description of permanency plan report of informal adjustment at 5 and 11 months predisposition report w/i reasonable time before disposition hearing annual review report

<b>Atty/GAL for Children</b>	31-6-3-4	GAL is CASA or both may be appointed; attorney representing child may also be appointed GAL; court may appoint attorney to represent GAL
	31-6-4-13.6	provides when mandatory and when permissive (mandatory if parent denies allegations)
	31-6-5-4(d)	if parent objects to t.p.r., GAL appointed
<b>Attorney for Parent</b>	31-6-3-2	entitled to counsel in t.p.r. proceedings
<b>CASA</b>	31-6-1-12	CASA defined
<b>T.P.R. and Adoption</b>	31-6-5	not specified; t.p.r. proceedings described
	31-3-3	adoption; aid for adoption of hard to place children
<b>Reasonable Efforts</b>	not specified	

## Appendix B: Individual State Matrices

### IOWA 1996

<b>Definitions</b>	232.68	child abuse; abuse
<b>Voluntary Placement</b>	232.116(1)	consent to t.p.r.
<b>Emergency Hrg.</b>	232.78 232.79 232.95	ex parte order for temporary custody emergency removal without order; notice to court; written notice w/i 24 hours hearing on temporary removal at any time after petition filed
<b>Petition Filed</b>	232.79 232.78 232.87	w/i 3 days of emergency removal without order w/i 3 days of ex parte order contents of petition
<b>Adjudic. Hrg.</b>	232.95 232.96	hearing on temporary removal may serve as adjudicatory hearing hearing procedure (no time set)
<b>Dispo. Hrg.</b>	232.97 232.99 232.100	hearing not less than 48 hrs after social services file report (can be waived if all parties agree) "as soon as practicable" after adjudication disposition can be suspended for up to 12 mos., and continued an additional 6 months
<b>Court Reviews</b>	232.95 232.102(8)(a) 232.102(8)(b)	review temporary custody order w/i 6 months unless disposition hearing held initial review no longer than 6 months from date of dispositional hearing subsequent reviews no longer than 12 months from latest review
<b>Court Permanency Plan Reviews</b>	232.104 232.104	permanency hearing after 12 months from original plcmt. permanency hearing -- following an order to continue plcmt. for an additional 6mos, court shall hold a hearing to consider modification of permanency order
<b>Permanency Deadline</b>	232.104 232.104(2)(b)	if in foster care 12 months; or if parent ceases to seek custody placement may be continued up to 6 months
<b>Agency or Citizen Review</b>	232.71(6) 232.71(17)	department can use multidisciplinary teams to investigate charges of abuse at a facility multidisciplinary teams to investigate reports of child abuse in large counties
<b>Reports, Plans</b>	232.102(8) 232.71(1) 232.71(7)	agency/person with custody to file report with court every 6 months written notification to parents of investigation w/i 5 days report on investigation of abuse to be sent to court w/i 4 days of complaint, unless good cause (at least 10 days)

<b>Atty/GAL for Children</b>	232.89 232.71(14) 232.89(4) 232.89(5)	court will appoint counsel for children and GAL in abuse cases, court shall appoint GAL same person may serve as GAL and counsel court may appoint CASA as GAL
<b>Attorney for Parent</b>	232.89(1)	court shall appoint if indigent; no right to appointed counsel if parent incarcerated (if no legal custody)
<b>CASA</b>	232.2(9) 232.89	defined, duties neglect and abuse cases specifically, court may appoint CASA
<b>T.P.R. and Adoption</b>	232.111-119 232.116 232.119	t.p.r. procedure (no times set) age specific grounds adoption exchange established; special needs children to be requested w/i 60 days of t.p.r.
<b>Reasonable Efforts</b>	232.102(9)	defined; what court should consider in determination

Appendix B: Individual State Matrices

KANSAS  
1996 Supp.

<b>Definitions</b>	38-1502	"child in need of care"; abuse and neglect
<b>Voluntary Placement</b>	38.1544	informal supervision up to 6 months with one 6 month extension
<b>Emergency Hrg.</b>	38-1528 38-1543	emergency shelter to release child unless court order w/i 48 hours w/i 48 hrs excl. s/s/h, after removal; may be continued to allow 24 hour notice
<b>Petition Filed</b>	38-1524 38-1531	any person may file a petition alleging child is in need of care form of petition (no times set)
<b>Adjudic. Hrg.</b>	38-1532 38-1551-1560	hearing w/i 30 days from filing of petition "without unnecessary delay"; procedures
<b>Dispo. Hrg.</b>	38-1561 38-1562	may be entered at time of adjudication; shall be entered w/i 30 days of adjudication, unless good cause hearing defined
<b>Court Reviews</b>	38-1565(c)	if progress of child inadequate or plan no longer viable, court reviews no later than 12 months after placement out-of-home; yearly thereafter
<b>Court Permanency Plan Reviews</b>	38-1584(2) 38-1565 38-1566	hearing to be held 18 months after t.p.r. and every 12 months thereafter; progress reports every 6 months, at which time court to decide if review hearing needed plan must be submitted within 30 days -- court review no later than 12 mos. from first submission of plan review of change of placement -- notice to court 30 days before modification unless emergency
<b>Permanency Deadline</b>	38-1563(b)	duration of disposition is a maximum of 18 months with successive extensions of 12 months at a time with good cause shown
<b>Agency or Citizen Review</b>	38-1813 38-1812 38-1523(a)	local citizen review board's review 6 months after disposition and at least once a year; submit findings to judge foster care review boards multidisciplinary team investigation reviews (no times set)

<b>Reports, Plans</b>	38-1565(a) 38-1565	plan to be submitted to court w/i 30 days after disposition order plan must be submitted w/i 30 days after disposition order reports filed every 6 months (by agency or court services officer); if child placed outside home and no plan part of dispositional hearing, written plan for reintegration or other placement 30 days after dispositional order entered
	38-1565(b) 38-1565 38-1569 38-1546	progress reports and foster care reports every 6 months foster parents must submit written report to court every 6 months form of foster parent report GAL review reports 48 hours prior to hearings, except for custody hearings
<b>Atty/GAL for Children</b>	38-1505(a)	court shall appoint attorney GAL; appointed for child upon filing of petition; duties
<b>Attorney for Parent</b>	38-1505(b) 38-1505(c)	attorney appointed for parent if indigent unless parent fails or refused to attend hearing after notice court shall appoint attorney for parent if parent is a minor or mentally ill
<b>CASA</b>	38-1582(b)(q)	an advocate other than the attorney GAL appointed to represent child's best interests
<b>T.P.R. and Adoption</b>	38-1581	t.p.r. petition (no times set)
<b>Reasonable Efforts</b>	not specified	

Appendix B: Individual State Matrices

**KENTUCKY**  
1996 Supp.

<b>Definitions</b>	600.020 620.020	abused or neglected child "case permanency plan," "case review," "citizen review boards," "permanency," "reasonable efforts"
<b>Voluntary Placement</b>	620.170	defined; no time limits; parents may request release and cabinet has 10 days to review
<b>Emergency Hrg.</b>	620.060(2) 620.080	ex parte emergency order valid for no more than 72 hours, excl. s/s/h, unless temporary removal hearing; may be extended w/i 72 hours of emergency order (unless waived), excl. s/s/h, or w/i 10 days of filing of petition
<b>Petition Filed</b>	620.060(4)	to be filed w/i 72 hours from emergency removal
<b>Adjudic. Hrg.</b>	620.090(5)	must be held w/i 45 days of removal unless extended in child's best interests
<b>Dispo. Hrg.</b>	620.090(5) 610.080 620.140	must be held w/i 45 days of removal unless extended in child's best interests bifurcated from adjudicatory hearing; held on different days unless child waives disposition alternatives
<b>Court Reviews</b>	not specified	
<b>Court Permanency Plan Reviews</b>	610.125	no later than 18 months from removal, hearing to be held and annually thereafter
<b>Permanency Deadline</b>	not specified	
<b>Agency or Citizen Review</b>	620.190 620.270 620.180	foster care review board (defined) foster care review board review at least once every 6 months until child no longer in custody administrative review of cases w/i 5 days of temporary removal hearing and every 6 months; all parties and attorneys may attend
<b>Reports, Plans</b>	620.230 620.240	case permanency plans filed with court and foster care review board case progress reports at least once every 6 months
<b>Atty/GAL for Children</b>	620.100(1)(a) 620.100(1)(d)	counsel appointed for child at temporary custody hearing court may appoint CASA



<b>Attorney for Parent</b>	620.100(1)(6) appointed if parents cannot afford 620.100.1(c) may appoint for nonparent who exercises custodial control and is indigent 625.0405 court to appoint if indigent party to voluntary termination
<b>CASA</b>	620.100(1)(d) court may appoint CASA 620.500 et seq. CASA program defined
<b>T.P.R. and Adoption</b>	625.040 voluntary termination described (no times set) 625.050 involuntary termination described (no times set)
<b>Reasonable Efforts</b>	620.020(9) defined 620.130 reasonable efforts defined

Appendix B: Individual State Matrices

LOUISIANA

1997 Supp.

<b>Definitions</b>	ChC 603 ChC 604 ChC (603)(15)	abuse, neglect, reasonable efforts grounds for "child in need of care" permanent placement
<b>Voluntary Placement</b>	ChC 623-630 ChC 1510	informal adjustment agreements before or after filing of petition, duration limited to 6 months with one 6 month extension voluntary transfer of custody, court to maintain jurisdiction and may review (no limitation on time)
<b>Emergency Hrg.</b>	ChC 624	if child removed under order or without court order, hearing within 3 days of removal; one continuance for up to 3 days for good cause
<b>Petition Filed</b>	ChC 632 ChC 633-635	if child in custody or if protective order issued, petition to be filed within 30 days of emergency hearing, which may be extended for good cause contents and requirements of petition; can be amended at any time with the "leave of the court"
<b>Adjudic. Hrg.</b>	ChC 646 ChC 659 ChC 666	within 15 days of filing petition, court can require parents to appear and respond to allegations; if denied, court shall set adjudicatory hearing adjudicatory hearing within 45 days of filing of petition; if child not in continued custody, adjudicatory hearing within 105 days of filing of petition; continuances may be granted if in best interests of the child adjudication order
<b>Dispo. Hrg.</b>	ChC 678 ChC 681 ChC 684	may be conducted immediately after adjudicatory hearing but must be conducted within 30 days from adjudication; extended for good cause disposition alternatives judgment of disposition
<b>Court Reviews</b>	ChC 692(A) ChC 692 (B)	review hearing 3 months after disposition if child removed prior to disposition hearing; within 6 months if child removed after disposition hearing; never more than 6 months after removal hearings every 6 months until P/P hearing before court or administrative body
<b>Court Permanency Plan Reviews</b>	ChC 702(A) ChC 702	disposition reviews every 12 months until child is permanently placed within 9 months of disposition hearing if child removed before disposition, within 12 months if child removed at disposition; in no case more than 12 months from removal
<b>Permanency Deadline</b>	ChC 686	not specified, but disposition remains in effect only until child reaches 18, if not earlier

<b>Agency or Citizen Review</b>	ChC 702(C) ChC 501	court may appoint or approve administrative body to conduct disposition review hearings Children's Advocacy Program --to coordinate interviews and treatment in sex abuse cases
<b>Reports, Plans</b>	ChC 668 ChC 673 ChC 688	predisposition investigation reports shall be submitted to court prior to disposition hearing case plan to be prepared within 60 days after child enters custody of child care agency; filed with court at least 10 days before disposition hearing case review report to be filed 10 days prior to review hearing
<b>Atty/GAL for Children</b>	ChC 607	court shall appoint counsel or refer child to indigent defender board; no one can waive this right; if child might be institutionalized because of mental illness, child is entitled to attorney appointed by mental health advocacy service
<b>Attorney for Parent</b>	ChC 608 ChC 643-644 ChC 644	court shall appoint if indigent; parent may waive absent parent assigned attorney as "curator ad hoc" who has duty to make diligent search duties
<b>CASA</b>	not specified in rule or statute	
<b>T.P.R. and Adoption</b>	ChC 1001 ChC 1101 ChC 1167 ChC 1004	involuntary t.p.r. voluntary relinquishment adoptions unless abandoned, petition for t.p.r. (involuntary) cannot be filed until child in custody 18 months or more
<b>Reasonable Efforts</b>	ChC 603 ChC 626/628	reasonable efforts defined grounds for continued custody --reasonable efforts to eliminate need for removal

Appendix B: Individual State Matrices

MAINE  
1996 Supp.

<b>Definitions</b>	22-4002	abuse, neglect, abandoned
<b>Voluntary Placement</b>	22-4004(A) 22-4022	cannot exceed 180 days unless court finds child cannot return home; then can continue, but must be reviewed by court 18 months after agreement and then at least every 2 years voluntary care agreements; does not affect custody; short duration
<b>Emergency Hrg.</b>	22-4032 22-4034 22-4034(4)	"earliest possible date" for hearing set after filing petition "preliminary hearing" w/i 10 days of request for protection order; "C-1 Hearing" hearing w/i 10 days of order if objections
<b>Petition Filed</b>	22-4032	contents defined (no times set)
<b>Adjudic. Hrg.</b>	22-4032(3) 22-4035/38	hearing at the "earliest practicable time and date" after petition filed "C-2 Hearing"; described (no times set)
<b>Dispo. Hrg.</b>	22-4035(3) 22-4036 22-4038	at time of adjudication if possible dispositional alternatives; disposition order may be for an indeterminate period, less than 18 years of age "a.s.a.p." after adjudicatory hearing, and within 18 mos. of petition filing
<b>Court Reviews</b>	22-4038(1)	at least once within 18 mos. and every 2 yrs. after mandated and non-mandated review -- when subsequent judicial review not required review of child in custody dept. within 18 months
<b>Court Permanency Plan Reviews</b>	22-4038(1) 22-4038(7)	at least 18 months after final order and every 2 years after unless emancipated or adopted; or unless guardian or long term foster care w/i 18 months of final protection order, court to permanency planning hearing or continue reunification efforts for 6 months
<b>Permanency Deadline</b>	22-4035(4) 22-4038	final order to be issued w/i 18 months of filing petition, unless good cause; if finding of heinous or abhorrent conduct, w/i 12 months of filing of petition 18 months
<b>Agency or Citizen Review</b>	22-4004	death review panel
<b>Reports, Plans</b>	22-4041 22-4005	service plan GAL to report to court and parties every 6 months
<b>Atty/GAL for Children</b>	22-4005	appointment of GAL for child; duties; may appoint counsel for GAL

## Appendix B: Individual State Matrices

<b>Attorney for Parent</b>	22-4005	appointment of counsel for parents (except in request for preliminary protection order)
<b>CASA</b>	Title 4, Chp. 31	established and monitored (sec 1501)
<b>T.P.R. and Adoption</b>	22-4050-4055	procedures; grounds; petition no earlier than 3 months after disposition
<b>Reasonable Efforts</b>	22-4055	reasonable efforts for termination

Appendix B: Individual State Matrices

MARYLAND

1996 Supp.

<b>Definitions</b>	FL <sup>2</sup> 5-701 CJ <sup>3</sup> 3-801	abuse, neglect adjudicatory hearing, "child in need of assistance", disposition hearing
<b>Voluntary Placement</b>	not specified	
<b>Emergency Hrg.</b>	CJ 3-815(J)(2) MR <sup>4</sup> 11-112a(3)	hearing on petition no later than next court day, unless extended for good cause; shelter care may be extended up to 30 days after adjudicatory hearings hearing on same day petition filed; may be postponed up to 8 days
<b>Petition Filed</b>	CJ 3-812 CJ 3-810 CJ 3-815	form of petition to be filed within 30 days of receipt of complaint. If intake officer denies filing, Area Director may authorize filing if child removed, a petition shall be immediately filed
<b>Adjudic. Hrg.</b>	CJ 3-819 MR 11-114(b)	within 30 days after petition for shelter care hearing within 60 days unless waives petition filed, then 30 days after waiver hearing, unless child in continued shelter care; adjudicatory hearing within 30 days of date ordering continued care
<b>Dispo. Hrg.</b>	CJ 3-820 MR 11-115	separate hearing from adjudicatory hearing, unless hearing waived in writing by all parties; must be held on same day as adjudicatory hearing unless good cause no later than 30 days from adjudicatory hearing
<b>Court Reviews</b>	JR 915	w/i 18 mos. of placement and periodically thereafter; not to exceed 18 mos.
<b>Court Permanency Plan Reviews</b>	CJ 3-826.1(d)(2) CJ 3-826.1(f) CJ 3-826.1(g) CJ 3-826.1 MR 11-115(d)	reviews of permanency plan every 6 months if child placed in permanent foster care or kinship care, no review needed if in long-term foster care, reviews at least every 6 months permanency hearing to review permanency plan no later than 10 months after disposition 18 months after original placement permanency plan hearing with reviews every 18 months

<sup>2</sup> FL=Family Law Code

<sup>3</sup> CJ=Courts, Juvenile Proceedings Code

<sup>4</sup> MR=1997 Maryland Rules

<b>Permanency Deadline</b>	CJ 3-826.1d(3)	every reasonable effort shall be made to effectuate permanency plan for a child within 24 months
<b>Agency or Citizen Review</b>	FL 5-706.1 FL 5-535 FL 5-535	person alleged to have abused or neglected child may request administrative hearing Foster Care Review Board to review cases every 6 months and make recommendations to court and agency foster care review boards
<b>Reports, Plans</b>	CJ 3-826	court may order periodic reports
<b>Atty/GAL for Children</b>	CJ 3-834 FL 5-323 CJ 3-821 MR 11-106	court may appoint attorney and may also appoint CASA right to attorney in t.p.r. proceeding party entitled to representation entitled to counsel
<b>Attorney for Parent</b>	CJ 3-821 FL 5-323	court shall appoint attorney for indigent parents in specific cases right to attorney if indigent in t.p.r. and adoption proceedings
<b>CASA</b>	CJ 3-834.1	CASA program defined
<b>T.P.R. and Adoption</b>	CJ 3-826.1(e)	if at permanency plan hearing court decides to place for adoption, petition for t.p.r. to be filed within 30 days and hearing on t.p.r. to be scheduled in lieu of 6 month review hearing
<b>Reasonable Efforts</b>	not specified	

Appendix B: Individual State Matrices

**MASSACHUSETTS**  
1997 Supp.

<b>Definitions</b>	119/51B(4A-E)	consequences of abuse
<b>Voluntary Placement</b>	119/23(A)	department may accept voluntary placement for a time agreed upon
<b>Emergency Hrg.</b>	119/24	ex parte order of removal valid for not more than 72 hours
<b>Petition Filed</b>	119/51B(3)	if child taken into temporary custody, petition to be filed next court day
<b>Adjudic. Hrg.</b>	119/27	findings written within 10 days of hearing; may be appealed
<b>Dispo. Hrg.</b>	119/26	disposition alternatives
<b>Court Reviews</b>	119/26	any party may petition court for review not more than once every 6 months
<b>Court Permanency Plan Reviews</b>	119/29B	within 18 months and periodically thereafter
<b>Permanency Deadline</b>	119/26	unless court enters written findings of extraordinary circumstances, court shall enter final order of adjudication and permanent disposition no more than 15 months from date case first filed; may be extended once for 3 months
	119/29B	within 18 months of transfer of custody to department court to review case
<b>Agency or Citizen Review</b>	119/51D	multi-disciplinary review boards; members; duties monthly reports regarding activities in region; review services available
<b>Reports, Plans</b>	119/51B	file service plan w/i 45 days
	119/29	department to provide parties with case plan within 45 days of department filing appearance
<b>Atty/GAL for Children</b>	119/29	court shall appoint counsel
<b>Attorney for Parent</b>	119/29	court shall appoint counsel if parent indigent
<b>CASA</b>	not specified	



Appendix B: Individual State Matrices

<b>T.P.R. and Adoption</b>	119/23(F) if parents consent to adoption and no home found within 60 days, agency must notify all foster care licensing agencies to find home
<b>Reasonable Efforts</b>	not specified

Appendix B: Individual State Matrices

**MICHIGAN**  
1997 Supp.

<b>Definitions</b>	MSA 25.248(2) child abuse, neglect 722.602 "child;" "child abuse;" "local council;" "neglect;" "state board;" etc. 722.23 best interests of the child 712A.13A "agency;" "foster care"
<b>Voluntary Placement</b>	not specified
<b>Emergency Hrg.</b>	712A.14(2) if child removed, child and parents, if found, shall immediately be brought before the court for a preliminary hearing; child released or petition filed MCR 5.965 hearing must commence w/i 24 hrs after child removed, excl. s/s/h
<b>Petition Filed</b>	712A.11 after inquiry, court to authorize filing of petition 712A.13a court may authorize filing after preliminary hearing, upon showing of one or more allegations
<b>Adjudic. Hrg.</b>	MCR 5.972 hearing must be held within 6 months after filing of petition (if child not in placement); if in placement, hearing must commence asap, but not later than 63 days after child placed by court, unless postponed for specific reasons
<b>Dispo. Hrg.</b>	712A.18 disposition alternatives MCR 5.973B may immediately follow adj.; if child in placement w/i 35 days, except for good cause
<b>Court Reviews</b>	712A.19(3) review hearing w/i 91 days after disposition and every 91 days for first year MCR 5.973(B) at least every 91 days for first year; every 182 days after p/p hearing for child in foster care; if child in home under supervision, every 91 days for first year and every 182 days thereafter
<b>Court Permanency Plan Review</b>	712A.19(3) hearing w/i 182 days after p/p hearing 712A.19a(1) every 364 days after p/p hearing must have new p/p hearing 712A.19c if remains in foster care, every 182 days
<b>Permanency Deadline</b>	712A.19a(1), MCR 5.973(c) p/p hearing w/i 364 days after disposition; if child not returned, court shall order agency to initiate TPR w/i 42 days from p/p hearing, unless clearly shown not in child's best interests
<b>Agency or Citizen Review</b>	722.131 foster care review board; local board to review initial case plan 722.137 to review progress reports every 6 months, preferably before the mandated judicial review 722.603 state abuse child abuse prevention board 722.131 foster care review board; duties

<b>Reports, Plans</b>	712A.13a 712A.18f(5)	agency must prepare initial services plan w/i 30 days of placement service plan to be updated every 90 days
<b>Atty/GAL for Children</b>	712A.17c(7) MCR 5.914B2 MCR 5.916	court shall appoint; child cannot waive court shall appoint court may appoint GAL if welfare of the party requires it
<b>Attorney for Parent</b>	712A.17c(4) MCR 5.914B1	court shall appoint if indigent at each stage of proceeding; may waive unless parent is a minor court shall appoint if indigent
<b>CASA</b>	not specified	
<b>T.P.R. and Adoption</b>	712A.19a & MCR 5.974  712A.196	at p/p hearing, if child not returne, court shall order preparation of t.p.r. w/i 42 days unless clearly shown no in child's best interests t.p.r. described
<b>Reasonable Efforts</b>	712A.18f 25.312(3) & 722.23	agency must proved certain actions to avoid removal best interests of child defined

Appendix B: Individual State Matrices

MINNESOTA  
1997 Supp.

<b>Definitions</b>	260.015	"child in need of protection or services" (includes truant and runaways with abuse and neglect)
<b>Voluntary Placement</b>	257.071(3) 260.192 260.192(a)	if a child is not returned within 6 months, petition must be filed for review review of vol. placement within 6 mos. upon review, court may continue 6 months
<b>Emergency Hrg. or "Detention Hrg."</b>	260.133 260.172	emergency order valid for no more than 14 days court must hold hearing within 72 hours excluding Saturdays, Sundays, holidays; court may continue custody detention for 8 days, excluding Saturdays, Sundays, holidays, but may continue custody every 8 days, upon informal review
<b>Petition Filed</b>	260.131 260.133 260.171(2)(d)	anyone may petition w/i 5 days of temp. order for protection cannot be held in shelter care for more than 72 hours unless petition filed excl. s/s/h, and the judge determines child to remain
<b>Adjudic. Hrg.</b>	260.155 260.172(4)	in certain abuse and neglect cases, findings must be filed within 15 days (physical or sexual abuse) of hearing if child in custody, adjudicatory hearing within 60 days from detention hearing upon request of any party; may be continued to 90 days (or longer if good cause)
<b>Dispo. Hrg.</b>	260.191	disposition alternatives
<b>Court Reviews</b>	260.191(3a)	if child in residential facility, review every 6 months (defines residential facility as any group home or family foster home)
<b>Court Permanency Plan Reviews</b>	260.191(3b)(d) 260.242 260.191(3b)	after permanency plan decisions made, hearings as requested by federal law; if adoption plan is not finalized, or if disruption, no later than every 6 months after t.p.r., disposition hearing within 18 months of foster care placement and every 2 years after (unless long-term foster care) child in residential facility, permanency plan hearing within 12 months
<b>Permanency Deadline</b>	not specified	
<b>Agency or Citizen Review</b>	260.151	"treatment screening teams"

<b>Reports, Plans</b>	260.171(6b) 260.191 260.191(e) 257.071	report to court when child delivered to shelter care facility disposition case plan must be filed with court case plan written with parents, child, foster parents, etc. if child in foster care, case plan prepared within 30 days (including voluntary placement)
<b>Atty/GAL for Children</b>	260.155(2) 260.155(4)	court shall appoint counsel when it feels it is desirable, and child cannot afford court shall appoint g.a.l. in every abuse and neglect case
<b>Attorney for Parent</b>	260.155(2)	court shall appoint if indigent and in any case court feels it would be desirable
<b>CASA</b>	not specified	
<b>T.P.R. and Adoption</b>	260.221 260.231	permits t.p.r. within 1 year; presumption if out-of-home for more than 1 year and no indication that reunification possible in near future procedures
<b>Reasonable Efforts</b>	260.012 260.221(5)	reasonable efforts defined; requires cultural competence reasonable efforts on party of agency to reunite parents and children under t.p.r. proceedings

Appendix B: Individual State Matrices

MISSOURI  
1996

<b>Definitions</b>	210.110	"abuse;" "child;" "neglect;" etc.
<b>Voluntary Placement</b>	not specified	
<b>Emergency Hrg.</b>	210.125(3) 210.125(4) 210.145(6)	person taking child into protective custody must file report with juvenile officer no later than 12 hrs after taking child "temporary protective custody" not to exceed 24 hrs (additional time with court authorization) investigation initiated within 24 hrs of report; 72 hrs if only "educational" neglect
<b>Petition Filed</b>	not specified	
<b>Adjudic. Hrg.</b>	not specified	
<b>Dispo. Hrg.</b>	210.720	within 18 months of initial placement
<b>Court Reviews</b>	210.720	every 6 months from filing of petition
<b>Court Permanency Plan Review</b>	210.700-760 210.720 211.447(3)	court review of placement within 18 months of initial placement; then annually t.p.r. if child has been under jurisdiction of court for a period of one year
<b>Permanency Deadline</b>	210.730	goal of court that percentage of children in foster care in excess of 24 months shall not exceed 30% in any fiscal year
<b>Agency or Citizen Review</b>	210.153 210.170-.172 210.192 210.775-.776	"child abuse and neglect review board" (Dept. of Social Services); independent review when alleged perpetrator aggrieved by decision "children's trust fund;" definition; powers & duties "child fatality review panel" "foster and group home placement task force"; duties
<b>Reports, Plans</b>	211.181(5)	proposed treatment plan to be given to a professional evaluation team which must develop permanent plan (long range) w/i 30 days of date Dept. given custody
<b>Atty/GAL for Children</b>	210.160 211.211	court shall appoint GAL for child court shall appoint counsel prior to petition, if requested and child is indigent child may waive with approval of court
<b>Attorney for Parent</b>	210.160(2) 211.211	court may appoint GAL for parent who is a minor, mentally ill or otherwise incompetent court shall appoint counsel if requested and parent indigent and full and fair hearing requires

<b>CASA</b>	210.160(5) court may appoint volunteer advocates to assist GAL; shall have access to court appointed attorney GAL if required 210.160(6) advocates must complete program in permanency training 210.830 placement/parentage act
<b>T.P.R. and Adoption</b>	211.440 procedures, grounds 211.447(3) t.p.r. if child has been under jurisdiction of court for a period of one year 211.455 when t.p.r. petition filed juvenile officer to meet with the court to determine that all parties are served and request that court order detailed investigation and social study (except when parents consent to tpr, then no investigation and social study required); investigation and report made to all parties and attorneys and/or GAL at least 15 days prior to disposition hearing
<b>Reasonable Efforts</b>	211.183 defined

Appendix B: Individual State Matrices

MISSISSIPPI  
1997 Supp.

<b>Definitions</b>	43-21-105	"neglected;" "abused;" "dependent child"
<b>Voluntary Placement</b>	43-21-405 43-21-613	informal adjustment (before or after petition) for 6 months with on extension of 6 months reviews every 180 days for children voluntarily placed
<b>Emergency Hrg. or "Shelter Hrg."</b>	43-21-303 43-21-307 43-21-309	removal for no longer than 24 hours unless judge authorizes, excl. s/s/h judge may authorize temp. removal w/i 48 hours, excl. s/s/h temporary custody may be continued if petition filed or if shelter hearing held
<b>Petition Filed</b>	43-21-451 43-21-251 43-21-455	form w/i 5 days from shelter hearing if child removed within 5 days of detention hearing -- custody within 10 days of hearing -- non-custody content of petition
<b>Adjudic. Hrg.</b>	43-21-307 43-21-407 43-21-551 43-21-557	"informal adjudication process" (voluntary, re: supervision & contact) -- maximum 6 months, can be extended by court for another 6 wks termination of informal adjudication process within 90 days of petition unless extended for good cause; if child is in shelter, w/i 30 days unless postponed order of proceedings
<b>Dispo. Hrg.</b>	43-21-601 43-21-603 43-21-609	separate and distinct hearing from adj. hearing, but may be held immed. after; if child in custody w/i 14 days after adjudicatory hearing unless good cause procedure disposition alternatives
<b>Court Reviews</b>	43-21-613	reviews annually
<b>Court Permanency Plan Review</b>	not specified	
<b>Permanency Deadline</b>	43-15-13	goal of state department of human services will be to return child to natural parents or refer child to court for t.p.r. and permanent placement w/6 months of the child's entry into foster care; in furthering this goal, child's parents will have 6 month period of time in which to meet the service agreement with the dept.; if agreement not met, child will be simultaneously referred to court for t.p.r. and permanent placement w/6 months following the 6 month limitation; for children under 3, t.p.r. will be initiated w/6 and permanent placement w/i 2 months



<b>Agency or Citizen Review</b>	43-15-13	reviews every 6 months by personnel of state department of human resources; must file with court
<b>Reports, Plans</b>	43-21-253 43-21-253(2)	"social records" "social summary" --investigation, care plan alternatives
<b>Atty/GAL for Children</b>	43-21-121(e) 43-21-201	GAL shall be appointed; may appoint attorney or other layman (trained) court shall appoint attorney for child if indigent; child shall have counsel at all critical stages
<b>Attorney for Parent</b>	not specified	
<b>CASA</b>	not specified	
<b>T.P.R. and Adoption</b>	not specified	
<b>Reasonable Efforts</b>	43-51-1	family preservation act

Appendix B: Individual State Matrices

MONTANA  
1997

<b>Definitions</b>	41-3-101 41-3-102	declaration of policy "abused and neglected;" "child;" "adequate health care;" "harm to a child's health or welfare;" etc.
<b>Voluntary Placement</b>	41-3-102	suggests that voluntary placement is acceptable
<b>Emergency Hrg.</b>	41-3-301(1) 41-3-403	emergency protective service; immediate removal order of immediate protection; show of cause hearing within 20 days of issuance of order for protection; may continue custody during investigation for no more than 90 days, with one 90 day extension; may continue pending hearing on petition
<b>Petition Filed</b>	41-3-301(3)	within 48 hrs of emergency placement
<b>Adjudic. Hrg.</b>	41-3-401 41-3-404	date set upon receipt of petition; given priority setting adjudication hearing; disposition hearing
<b>Dispo. Hrg.</b>	41-3-404(4b) 41-3-1014(1) 41-3-1014(4)	within 30 days of adjudicatory hearing disp. review hearing within 180 of original placement enter order within 20 days after disposition review hearing
<b>Court Reviews</b>	41-3-406(4) 41-3-1013	order of temp. custody valid for period no longer than 6 months; prior to expiration, county to petition for continuation, TPR, or dismissal court to review recommendations of local citizen review board w/i 10 days
<b>Court Permanency Plan Review</b>	41-3-1014 41-3-1013	dispositional review hearing w/i 18 months of placement and then periodically thereafter review of citizen review panel; report within 10 days
<b>Permanency Deadline</b>	41-3-412 41-3-412(5) 41-3-410	w/i 12 months from initial order if child still in custody if extended 6 months - at next hearing court shall order t.p.r. or long-term custody permanent disposition/tpf/foster care

<b>Agency or Citizen Review</b>	41-3-108	child protection teams help formulate plans; temporary & permanent multi-disciplinary teams; who; duties
	41-3-403	parent may request citizen review board to review case 30 days after show cause hearing
	41-3-1001	pilot project for local citizens review board; review at least 6 months after child placed and every 6 months thereafter; court to review recommendations w/i 10 days
	41-3-1010(3)	court may relieve citizen review board of responsibility for case review, if complete judicial review within 60 days prior to next scheduled board review
	41-3-1010(4)	review within 45 days if petition to tpr denied
<b>Reports, Plans</b>	41-3-412	review report to be filed w/i 3 days from p/p hearing
	41-3-1013	citizen review panel report w/i 10 days
	41-3-603(4)	"treatment plan"
<b>Atty/GAL for Children</b>	41-3-303	GAL appointed in every judicial proceeding; excludes dept. staff from appointment; eff. Oct 1, 1997
<b>Attorney for Parent</b>	41-3-401	if no personal service on parents, attorney appointed to represent if justice requires; if parent is minor, GAL appointed
<b>CASA</b>	not specified	
<b>T.P.R. and Adoption</b>	41-3-601	procedures
	41-3-607	petition for termination
	41-3-609	criteria for termination
	41-3-610	court review within 180 days of tpr to determine if child permanently placed
	40-8-101	adoption
	40-8-122	investigation following petition to adopt filed with court within 30 days from issuance of order of investigation
<b>Reasonable Efforts</b>	not specified	

Appendix B: Individual State Matrices

NEBRASKA  
1996

<b>Definitions</b>	28-705 28-707 28-710(3)	"abandonment" "child abuse" "neglect"
<b>Voluntary Placement</b>	not specified	
<b>Emergency Hrg.</b>	43-248(3) 43-250(4) 43-254	temporary custody hearing must be w/i 48 hrs of removal, excl. nonjudicial days placement pending adjudication
<b>Petition Filed</b>	43-250	filed within 48 hrs of placement (excl. non-judicial days)
<b>Adjudic. Hrg.</b>	43-278 43-271	in abuse/neglect cases adj. hearing w/i 90 days from petition, unless good cause continuances up to 6 months from petition
<b>Dispo. Hrg.</b>	not specified but see 43-271.06 below 43-271.06 43-284	expedited review hearing only when court orders plan different from dept. of social services dispo. - in need of assistance
<b>Court Reviews</b>	43-278 43-1313	every 6 months when child in foster care, court review every 6 months
<b>Court Permanency Plan Review</b>	43-295	continually while in court jurisdiction until child legally adopted
<b>Permanency Deadline</b>	43-292	after 18 months, county to review no more than 30 days later to see if t.p.r. appropriate
<b>Agency or Citizen Review</b>	43-1308 43-1314.01 28-728	review each case every 6 months w/i 30 days submit recommendations to court state foster care review board review 6 months child abuse and neglect treatment teams to establish investigation protocol
<b>Reports, Plans</b>	43-285	case plan w/i 30 days after child placed under care of dept.; reports once every 6 months
<b>Atty/GAL for Children</b>	43-272 43-272/272.01 43-272(3)	appointed if indigent GAL appointed when child removed, or if not removed, at the commencement of case attorney GAL, unless special reasons for appointment of particular person, may have both

## Appendix B: Individual State Matrices

<b>Attorney for Parent</b>	43-272	appointed if indigent
<b>CASA</b>	not specified	
<b>T.P.R. and Adoption</b>	43-279.01 43-292 43-1501/03 43-2106/126 43-1801/03	parties to tpr proceedings; grounds for termination Indian child welfare act t.p.r. review by supreme court or court of appeals grandparents visitation
<b>Reasonable Efforts</b>	43-284	reasonable efforts to avoid removal

Appendix B: Individual State Matrices

NEVADA  
1996 Supp.

<b>Definitions</b>	432B.020 432B.140 432B.150 432B.330 128.012 128.0126 128.013 128.014	abuse or neglect defined negligent treatment or maltreatment excessive corporal punishment = abuse or neglect "child in need of protection" t.pr.; abandonment t.p.r.; failure of parental adjustment t.p.r.; injury to health or welfare t.p.r.; neglected
<b>Voluntary Placement</b>	432B.360	voluntary placement for 6 months, then must return child or file petition; child returned within 48 hours of request by parent or of petition filed.
<b>Emergency Hrg. or "Protective Custody Hrg."</b>	432B.400 432B.470	temporary detention by doctor no more than 24 hrs hearing must take place within 72 hrs of removal, excl. s/s/h
<b>Petition Filed</b>	432B.490 432B.510	petition must be filed within 10 days of protective custody hearing contents
<b>Adjudic. Hrg.</b>	432B.530	adjudicatory hearing must be held within 30 days of filing of petition, unless good cause
<b>Dispo. Hrg.</b>	432B.530(5) 432B.550	immediately after adjudicatory hearing or within 15 working days of adjudication disposition alternatives
<b>Court Reviews</b>	432B.580 432B.585 432B.600  128.106 128.107 128.108	case must be reviewed by court at least semiannually panel may be appointed to conduct semi-annual review if permanent plan has been approved by court, may dispense with annual hearings -- changes in plan must be reported to court within 30 days after the change specific consideration in determining neglect by or unfitness of parent specific consideration where child is not in physical custody of parent specific consideration where child has been placed in foster home
<b>Court Permanency Plan Reviews</b>	432B.570 432B.600  432B.590	annually after 18 month review court may dispense with annual review if child permanently placed with relative, foster parent, or adoptive parent no later than 18 months after most recent removal of child and annually thereafter; presumption for t.p.r. if child out-of-home 18 out of the last 24 months

<b>Permanency Deadline</b>	432B.590	no later than 18 months after most recent removal of child and annually thereafter; presumption for t.p.r. if child out-of-home 18 out of the last 24 months
<b>Agency or Citizen Review</b>	432B.405 432B.585	child death review team judge may appoint panel to conduct semiannual review at no compensation
<b>Reports, Plans</b>	432B.395 432B.540 432B.580 128.0155	agency must submit annual report to division that it has made reasonable efforts to prevent removal from home agency must submit plan and recommend to t.p.r. if in best interests of child semiannual review reports plans defined
<b>Atty/GAL for Children</b>	432B.420 432B.500 128.100	court may appoint attorney to represent child if appropriate after petition filed, court shall appoint representative of agency, JPO, officer of the court, or volunteer as GAL; no compensation allowed appointment of attorney for child in t.p.r. cases
<b>Attorney for Parent</b>	432B.420	court may appoint attorney if indigent; shall appoint if indigent Indian
<b>CASA</b>	not specified	
<b>T.P.R. &amp; Adoption</b>	432B.590 128.005 to 128.160 128.109	if child has lived outside home for 18 mos. of any 24 consecutive mos. -- t.p.r. must be in best interests of child procedures; rights; @ 023 t.p.r. and Indian children;  if child has resided outside home in placement for 18 mos. of any consecutive 24 mos. it must be presumed that the parent has demonstrated only "token efforts" to care for child -- if parent fails to comply with terms of plan within 6 mos. after the date on which child placed or plan commenced, whichever occurs later, failure to comply is evidence of failure of parental adjustment -- if child placed out of home for 18 mos. of any 24 consecutive mos., the best interests of the child presumed served by t.p.r.
<b>Reasonable Efforts</b>	see 128.109 (t.p.r) above	

Appendix B: Individual State Matrices

NEW HAMPSHIRE  
1996

<b>Definitions</b>	169-C:3	"abandoned;" "abused child;" "child;" etc.
<b>Voluntary Placement</b>	169-C:27	implied
<b>Emergency Hrg. or "Preliminary Hrg."</b>	169-C:6(IIa) 169-C:6(IIc) 169-C:6a(III) 169-C:6(IV) 169-C:8 169-C:15	if child removed without court order, officer must immed. seek ex parte order for continued protective custody pending hearing protective custody; must notify bureau within 24 hrs of removal & placement in foster home (note exception) if court issues ex parte order, hearing to be held w/i 10 days from date of order court hearing within 24 hrs of taking child into protective custody, excl. s/s/h (presumably if no ex parte order) hearing not less than 24 hrs or more than 7 days after return of service of petition preliminary hearing defined
<b>Petition Filed</b>	169-C:6a(IV) 169-C:7	if ex parte order issued, law enforcement officer to file petition w/i 72 hours, excl. s/s/h petition contents
<b>Adjudic. Hrg.</b>	169-C:15 169-C:18	upon affirmative finding at prelim. hearing, adjudicatory hearing within 30 days of filing of petition adjudicatory hearing defined
<b>Dispo. Hrg.</b>	169-C:18(VII) 169-C:19 169-C:20 169-C:28	final disposition hearing within 30 days after finding for neglect or abuse disposition hearing defined disposition - educationally disabled child appeals within 30 days of disposition order
<b>Court Reviews</b>	169-C:24	court review of disposition at any time but at least once a year; courts submitted to court at least 14 days prior to review
<b>Court Permanency Plan Review</b>	not specified	
<b>Permanency Deadline</b>	not specified	
<b>Agency or Citizen Review</b>	169-G:1	review panel established to review dispositional orders, upon request by Division



Appendix B: Individual State Matrices

<b>Reports, Plans</b>	169-C:18(V) 169-C:24 169-C:12-12 168-C:15	social study after finding of abuse/neglect 14 days before annual review, supp. report to be given to court and parties all reports from various agencies and individuals must be filed with court at least 5 days prior to any hearing "social study report"
<b>Atty/GAL for Children</b>	169-C:10	court shall appoint GAL or CASA; no attorney to be appointed for GAL, but court may appoint attorney as GAL; may also appoint separate attorney for child
<b>Attorney for Parent</b>	169-C:10 170-C:8	if indigent, court shall appoint; "court shall not appoint an attorney to represent any other persons involved" if parent incompetent, GAL to be appointed at TPR proceeding
<b>CASA</b>	169-C:10	CASA may be appointed
<b>T.P.R. and Adoption</b>	Prob. Ct. Rule 8 170-C:2 170-C:4 170-C:4(IIa) 170-C:5 170-C:9 170-C:10	post t.p.r. review w/i 6 months from TPR, with reviews every 6 months after until adoption definitions parent, guardian or person with legal custody may file petition for t.p.r. foster parents may file only when child has lived in foster home continuously for 24 months and have requested in writing that the child-placing agency legally free child for adoption but the agency has not initiated proceedings grounds for social study hearing
<b>Reasonable Efforts</b>	not specified	

## Appendix B: Individual State Matrices

### NEW JERSEY

1997 Supp.

<b>Definitions</b>	9:6-1 9:6-8.9 9:6-8.21	definitions "abuse," "abandonment," "cruelty," "neglect" "abused child" "abused or neglected child"
<b>Voluntary Placement</b>	9:6-8.35	agency can adjust cases before complaint filed no later than 30 days with one 30 day extension allowed
<b>Emergency Hrg.</b>	9:6-8.19(c) 9:6-8.31 9:6-8.32	protective custody cannot exceed 3 court days hearing next court day parent may request hearing for return of child
<b>Petition Filed</b>	9:6-8.30	complaint to be filed immediately or on first court day after emergency removal
<b>Adjudic. Hrg. or "Fact-finding Hrg."</b>	9:6-8.48	no continuances for more than 30 days
<b>Dispo. Hrg.</b>	9:6-8.47 9:6-8.50	may begin immediately after adjudicatory hearing court can suspend disposition indefinitely with annual reviews
<b>Court Reviews</b>	9:6-8.60 9:6-8.32	any person may petition court to terminate placement application to return child temporarily removed; court will hear within 3 days
<b>Court Permanency Plan Reviews</b>	9:6-8.54	first p/p hearing at 18 months; successive extensions of 1 year allowed
<b>Permanency Deadline</b>	9:6-8.60-61	petition to terminate placement (no times set)
<b>Agency or Citizen Review</b>	not specified	
<b>Reports, Plans</b>	not specified	
<b>Atty/GAL for Children</b>	9:6-8.23	law guardian must be appointed (attorney)
<b>Attorney for Parent</b>	9:6-8.43	if indigent, parent may apply to Department of Public Advocacy for appointment of counsel
<b>CASA</b>	not specified	

<b>T.P.R. and Adoption</b>	<div>9:2-8.18 t.p.r. proceedings</div> <div>9:2-8.16 voluntary surrender parental custody</div>
<b>Reasonable Efforts</b>	not specified

Appendix B: Individual State Matrices

NEW MEXICO  
1996 Supp.

<b>Definitions</b>	32A-4-2	"abandonment;" "abused child;" "neglected child;" "physical abuse;" "sexual abuse"
<b>Voluntary Placement</b>	32A-3A-6 32A-3A-7	voluntary placement (certain types of cases) no longer than 90 consecutive days or more than 90 in one calendar year, except court may, after hearing, order additional 90 days
<b>Emergency Hrg. or "Custody Hrg."</b>	32A-4-18	w/i 10 days from date petition filed - not sooner than 2 days after petition filed
<b>Petition Filed</b>	32A-4-7(D) 32A-1-11	petition must be filed within 2 days from removal form of petition
<b>Adjudic. Hrg.</b>	32A-4-19  32A-4-20	within 90 days after latest of following dates: petition served on defendant; date order of mistrial or new trial; date of order of disposing appeal conduct of hearings
<b>Dispo. Hrg.</b>	32A-4-20(H) 32A-4-22 32A-4-9 32A-4-23	court may proceed immediately from adj. or at a postponed hearing disposition alternatives Indian child placement preferences disposition of mentally disordered abused child
<b>Court Reviews</b>	32A-4-25	w/i 6 months of disposition order, and every 6 months after, dept. to petition court for review
<b>Court Permanency Plan Review</b>	32A-4-24	order investing legal custody to agency not to exceed 2 yrs
<b>Permanency Deadline</b>	32A-4-24	disposition order giving custody to agency remains in effect for an indeterminate time not to exceed 2 years; order giving custody in effect 2 years unless court terminated earlier; court may extend agency custody for additional one year periods
<b>Agency or Citizen Review</b>	32A-8-1 32A-8-6	citizens substitute care review act prior to judicial review to review any disposition order or continuation of order and progress report, and report to judge (not a substitute review)
<b>Reports, Plans</b>	32A-4-21  32A-4-25 32A-4-21	predisposition studies, reports, and exams provided to all parties 5 days before disposition hearing progress reports at reviews disposition report (when Indian child report should include plan for maintaining cultural ties); includes placement and treatment plans

<b>Atty/GAL for Children</b>	32A-4-10(C) GAL shall be appointed at inception of proceedings; no agency entrusted with custody can be GAL 32A-4-10(B & C) basic rights of child 32A-4-10(D) G.A.L. with knowledge of child's cultural background
<b>Attorney for Parent</b>	32A-4-10(B) counsel appointed for all parents at inception of case until indigency determination made at custody hearing
<b>CASA</b>	32A-4-14(A) (referred to but not defined)
<b>T.P.R. and Adoption</b>	32A-4-28/29 procedure 32A-4-28(E) in some cases, court may proceed immediately with order of adoption, such order effective 60 days after to allow time for counselling 32A-4-29 dept., child-placement agency, GAL, or any other interested person may file t.p.r. petition 32A-4-31/32 permanency guardianship Article 5 adoption
<b>Reasonable Efforts</b>	not specified

Appendix B: Individual State Matrices

NEW YORK  
1997 Supp.

<b>Definitions</b>	Soc.S* 412 FCA* 1012 FCA 1044	general defs. abused, neglected, maltreated abused; neglected "fact-finding hearing"
<b>Voluntary Placement</b>	FCA 1021 FCA 1039  FCA 1053	police may remove child with consent of parents and hold for 3 days "adjournment in contemplation of dismissal" for less than 1 year, with open-ended extensions, for informal adjustments; prior to or at fact-finding hearing court may suspend judgment for 1 year with possible extensions of 1 year at disposition hearing
<b>Emergency Hrg.</b>	SOC 417  FCA 1027 FCA 1028  FCA 1029  FCA 1035	child protective services can take custody until next regular weekday session of family court at which time a child protective proceeding should be held or recommendation made to return child to parent/guardian court will hold hearing "as soon as possible" after emergency removal except for good cause shown, hearing on application for return of child shall be held w/i 3 days of the application temporary order of protection (petition must be filed within 10 days of order or vacated appearance must be w/i 3 court days of filing of petition where child removed; appearance must be w/i 7 days where child not removed
<b>Petition Filed</b>	FCA 1027  FCA 1028  FCA 1035  FCA 1039	in abuse case or when child removed without court order, hearing is as "soon as practicable" after filing of petition parties may move for hearing for return of child to be held w/i 3 days of application w/i continuances appearance must be w/i 3 court days of filing of petition where child removed; appearance must be w/i 7 days where child not removed adjournment in contemplation of dismissal not to exceed 1 yr
<b>Adjudic. Hrg. or "Fact-finding Hrg."</b>	FCA 1049 FCA 1051	priority setting; continuances only for good cause and short duration hearing procedure
<b>Dispo. Hrg.</b>	FCA 1055  FCA 1045 FCA 1047	placement made for initial period of up to one year with extensions of one yr each -- petition to extend a placement shall be filed at least 60 days prior to expiration of period of placement definition hearing commences immediately after adjudicatory hearing called a "fact-finding hearing" -- or may adjourn (no time limit given) -- suspended judgment for a maximum of 1 yr unless special or extreme circumstances, then may extend for an additional yr

\*Soc.S --Social Services Law; FCA --Family Court Act

<b>Court Reviews</b>	FCA 1055-65	placement made for initial period of up to one year with extensions of one yr each -- petition to extend a placement shall be filed at least 60 days prior to expiration of period of placement; any interested person can petition for change of placement; if denied, petition can be renewed for 90 days
<b>Court Permanency Plan Reviews</b>	FCA 1055a	petition must be filed sixty days prior to end of month which would constitute the 18 month of plcmt., or 60 days prior to the expiration date of an extension of plcmt.; for a child freed for adoption and not placed in adoptive home, the petition must be filed 6 months after the child has been freed; if a child has been freed and placed in an adoptive home but an adoption petition has not been filed 12 months after the adoptive plcmt., the petition must be filed 12 months after the child has been in the adoptive home -- whichever of the above comes first
<b>Permanency Deadline</b>	FCA 1055(VII)(A) SOC 392	if child under one year is abandoned, at disposition, court to order diligent search and order agency to proceed to t.p.r. 6 months after agency gets custody, unless parents appear and participate if child in foster care 18 months; or if freed for adoption and w/i 6 months not in a prospective home and no petition for adoption, then w/i 12 months
<b>Agency or Citizen Review</b>	SOC 421(3) SOC 426 SOC 440-42	agency review annual report child care review service described (no times set)
<b>Reports, Plans</b>	not specified	
<b>Atty/GAL for Children</b>	FCA 1033b FCA 1042	court shall appoint GAL court can proceed to hear a petition in absence of parent, only if child represented by attorney, GAL or law guardian
<b>Attorney for Parent</b>	FCA 1022(a) FCA 1033(b)	appointment of counsel for parent at temporary order appointment of counsel for indigent respondents at initial appearance
<b>CASA</b>	not specified	
<b>T.P.R. and Adoption</b>	FCA 1055(a) FCA 611	petition for adoption filed 60 days prior to the end of the month which constitutes 18th month of period of placement -- or 6 mos. after a child has been freed for adoption if they have not been placed in adoptive home -- 12 mos. if they have t.p.r. due to permanent neglect
<b>Reasonable Efforts</b>	FCA 1055(c)	implied requirements

Appendix B: Individual State Matrices

**NORTH CAROLINA**  
1996

<b>Definitions</b>	7A-517	"abused juvenile"; "neglected juvenile"
<b>Voluntary Placement</b>	7A-572a(3)(b) 7A-661	prehearing diversion review of voluntary placement by court not more than 180 days from placement and thereafter at court's discretion -- shall not remain in voluntary placement for more than 12 mos. without filing petition
<b>Emergency Hrg.</b>	7A-577  7A-572	no child shall be held under an order for custody for more than 7 days without a hearing -- hearing may be continued for up to 10 days with parent consent temporary custody no more than 12 hrs unless petition filed -- 24 hrs if on weekend
<b>Petition Filed</b>	7A-560 7A-572(a)(4)	petition described petition must be filed w/i 12 hrs, or 24 hrs if 12 hrs falls on s/s/h after removal
<b>Adjudic. Hrg.</b>	7A-629	described - no time set
<b>Dispo. Hrg.</b>	7A-639  7A-640 7A-647	upon receipt of "sufficient social, medical, psychiatric, psychological, and educational info" judge may exclude public disposition alternatives
<b>Court Reviews</b>	7A-651  7A-657	review hearing held within 6 mos. of placement -- orders for placement must examine reasonable efforts w/i 6 months of date order entered with subsequent reviews at least annually; court may waive review hearings and just review reports if placement stable, placement w/ relative for more than one year, best interests does not require reviews
<b>Court Permanency Plan Reviews</b>	7A-757 7A-659  7A-660	annual reviews; court may waive placement review no later than 6 mos. after t.p.r. -- reviews every 6 mos. thereafter -- court considers adequacy of permanent plan review agency's plan for child placement -- adoption dismissed or withdrawn, then agency must notify clerk within 30 days to calendar case for review -- review within 30 days of petition for review
<b>Permanency Deadline</b>	not specified	
<b>Agency or Citizen Review</b>	7A-545	see reports below
<b>Reports, Plans</b>	7A-545	evaluation by agency for court (home and treatment plan) -- report should be available to court immediately after adjudicatory hearing



<b>Atty/GAL for Children</b>	7A-586	court shall appoint GAL; if not an attorney, court shall appoint an attorney also through disposition phase duties g.a.l. -- appointment ends at 2 yrs (can be re-appointed)
<b>Attorney for Parent</b>	7A-587	parent has right to counsel and appointment of counsel -- in no case may judge appoint county attorney, prosecutor, or public defender
<b>CASA</b>	7A-489	guardian ad litem services established
<b>T.P.R. and Adoption</b>	7A-659 7A-289.32	reviews every 6 mos. until child adopted -- child shall be informed no more than 30 days no less than 15 days of review -- or g.a.l. if child is under 12 -- if no g.a.l. previously appointed court may appoint grounds for t.p.r.
<b>Reasonable Efforts</b>	7A-577	any hearing shall include finding re: whether reasonable effort made (not defined)

Appendix B: Individual State Matrices

**NORTH DAKOTA**  
1995 Supp.

<b>Definitions</b>	50-25.1-02* 27-20-02**	"abused child," "neglected child" "deprived child"
<b>Voluntary Placement</b>	27-20-10	informal adjustment before adj. for no more than 9 months
<b>Emergency Hrg.</b>	27-20-17 50.25.1-07 27-20-06	shelter hearing w/i 96 hours of removal custody in medical facility no longer than 96 hrs -- must immediately notify court temporary orders for custody not to exceed 30 days
<b>Petition Filed</b>	27-20-17	if child removed, petition is to be "promptly made"
<b>Adjudic. Hrg.</b>	27-20-22	hearing must be held no later than 30 days after petition filed or petition dismissed (unless extension filed); 14 days if child "in detention," extensions for good cause
<b>Dispo. Hrg.</b>	27-20-29 27-20-30	held immediately after adjudicatory hearing, or continued for a "reasonable time" disposition alternatives
<b>Court Reviews</b>	27-20-37	parties may petition for modification of order
<b>Court Permanency Plan Reviews</b>	not specified	
<b>Permanency Deadline</b>	27-20-36	disposition order placing child in foster care valid for 18 months (from order); all other disposition orders valid for 2 years; extensions cannot exceed 18 months from expiration of foster care order or 2 years from other orders' expiration, except court can order long term foster care; for a child under 10, at extension hearing, court must determine if adoption in best interests and proceed with TPR
<b>Agency or Citizen Review</b>	50.25.1-04.1	state child protection team to make reports and recommendations and to serve as child fatality review panel
<b>Reports, Plans</b>	27-20-26 27-20-28	"juvenile supervisors" make reports to court investigations and reports
<b>Atty/GAL for Children</b>	27-20-26 50-25.1-08	court to provide counsel at custodial, post-petition and informal adjustment stages (may force parents to pay) GAL for every child in all proceedings

\* 27-20 relates to "deprived child" (not abused)

\*\*50-25 relates to child abuse and neglect (w/i public welfare section)

## Appendix B: Individual State Matrices

<b>Attorney for Parent</b>	27-20-26	right to counsel at all stages and for court to provide one if "person is needy"
<b>CASA</b>	not specified	
<b>T.P.R. and Adoption</b>	14-09-19 27-20-44 27-20-45 27-20-47 27-20-47	grounds for terminating grounds proceedings -- order cannot be questioned after 30 days (30 days for appeal) if child not adopted within 18 mos., returned to court for review child to come before court if not adopted w/i 18 months of t.p.r.
<b>Reasonable Efforts</b>	not specified	

Appendix B: Individual State Matrices

OHIO  
1996 Supp.

<b>Definitions</b>	2151.03 2151.03 2151.05	"neglected child" "abused child" "child without proper parental care"
<b>Voluntary Placement</b>	5103.15	temporary custody up to 30 days; can be up to 60 days if purpose is to obtain adoption of child under 6 months; agency may request 30 day extension and then an additional 30 days (requires court order)
<b>Emergency Hrg.</b>	2151.31 2151.31.1(E) 2151.31.4	court may issue ex parte order by phone court shall hold hearing on ex parte emergency orders before the end of the next business day, and within 72 hours hearing within 72 hours of removal
<b>Petition Filed</b>	2151.27	any person may file a complaint; if child removed without filing complaint; a complaint must be filed before the end of the next day
<b>Adjudic. Hrg.</b>	2151.28  2151.35 *RJP 29	no more than 72 hours after complaint is filed, court to set time; hearing to be held within 30 days of complaint, with some extensions allowed within 60 days after complaint procedures adj. & disp. hearings; general public may be excluded if child in shelter care, hearing within 10 days unless continued for good cause
<b>Dispo. Hrg.</b>	2151.28(B)(3) 2151.35  2151.35.3	must be held no later than 90 days after complaint filed procedures; disposition hearing to be separate; held immediately after or within 30 days; continuances allowed for up to 90 days after date complaint filed; judgment to be made within 7 days disposition alternatives
<b>Court Reviews</b>	2151.41.7(C)	court to hold review hearing within 1 year of complaint or removal
<b>Court Permanency Plan Reviews</b>	2151.41.7(C)	court may review at any time but no later than 1 year after date complaint first filed, and every year thereafter
<b>Permanency Deadline</b>	2151.35.3  2151.41.5	order for temporary care valid for no more than one year from complaint or removal, unless request for extension filed; order for protective supervision may be extended 6 months court may grant 6 month extension and may grant one additional six month extension if in best interest of the child
<b>Agency or Citizen Review</b>	2151.41.6	agency to conduct semiannual reviews of case plans beginning no later than 6 months from complaint or removal and then at least every 6 months after (unless court hearing overlaps); file summary with court; parties may request hearing

\* RJP --Rules of Juvenile Procedure

<b>Reports, Plans</b>	2151.35.3(D) 2151.41.2 2151.41.2	journalized case plan as part of disposition order case plan filed prior to adjudicatory hearing, but no later than 30 days after earlier of complaint filed or child placed in shelter care goals of plans
<b>Atty/GAL for Children</b>	2151.28.1 RJP 4(A)	court to appoint GAL; cannot be any party to the proceeding; appointed a.s.a.p after complaint filed; if attorney, may also serve as counsel; if conflict in roles arises, new GAL appointed when child is alleged to be abuse, court shall appoint attorney for child
<b>Attorney for Parent</b>	2151.28.1(C) 2151.35.2	court shall appoint GAL for any minor or mentally incompetent person all parties have right to counsel; provided if indigent
<b>CASA</b>	not specified	
<b>T.P.R. and Adoption</b>	2151.41.3-41.4	petition for permanent custody; hearing within 120 days of filing of motion, with extension for good cause; court must dispose of motion and enter order no later than 200 days after motion filed (no sanctions for violations of time limits)
<b>Reasonable Efforts</b>	2151.41.9	determination of reasonable efforts

Appendix B: Individual State Matrices

OKLAHOMA  
1997 Supp.

<b>Definitions</b>	10-7001-1.3	deprived child (incl. abused and neglected)
<b>Voluntary Placement</b>	not specified	
<b>Emergency Hrg.</b>	10-7003.2.1B(5)	notice to be given to court of emergency removal by close of next business day
	10-7003-2.2	hearing w/i 24 hrs of application for emergency medical or mental health treatment
	10-7003-2.4	w/i 2 judicial days of removal, and thereafter as required, hearing for child taken into protective custody; no pre-adjudication order valid for more than 30 days with one extension up to 60 days; priority setting
	10-7002-1.2	preliminary hearing
	10-7003-2.1	protective custody application must be submitted to court no later than close of business next day
	10-7003.2.2	emergency hearing held within 24 hrs of filing application
<b>Petition Filed</b>	10-7003.3.1	petition described
	10-7003.3.2	petition must be filed w/i 5 judicial days of protective custody; if such a petition is not filed, custody of the child shall be released to child's parent, legal guardian, legal custodian or other responsible adult; if a child was taken into custody upon allegations of cruelty, 5 day limitation shall not cause child to be released to accused persons; in all such cases a petition shall be filed w/i 30 days of the child being taken into custody
<b>Adjudic. Hrg.</b>	7003-3.5	no hearing before 48 hrs after service of petition without parent consent (or w/i 5 days from mailing summons)
	7003-4.1	hearing may be public
<b>Dispo. Hrg.</b>	7003-5.1	disposition hearing
	7003-5.5	disposition order
	10-7003-6.4	all appeals within 30 days of order -- record on appeal within 60 days -- appellant briefs filed within 20 days; answer within 15 days; reply within 10 days; adjudicated with Supreme Court
	7003-5.5(A)(2)	protective supervision order valid for 1 year plus extensions
<b>Court Reviews</b>	7003-5.4a	notice of movement of child w/i 1 day; no second movement without court hearing between reviews
	7003-5.6	at least once every 6 months
	7003-5.3	individual case plan to be filed w/i 30 days after child adjudicated deprived; review pre-adj. or pre-dispo. cases of children in out-of-home placement for 90 days (hearing w/i 45 days of the 90th day)

<b>Permanency Plan Reviews</b>	7003-5.6	no later than 18 months after placement and every 12 months thereafter, court shall hold disposition hearing
<b>Permanency Deadline</b>	not specified	
<b>Agency or Citizen Review</b>	10-1116.2 10-1116.3 10-1201	appointment by presiding judge of district -- 5 members (experience or training with child welfare; foster parent; agency member) duties -- reviews cases once every 6 mos. and submit to court within 10 days of any review hearing (review should be completed within 45 days following initial placement) in each county with more than 100,000 there is also a citizen's advisory committee -- duty to report and investigate all cases of neglected and abused children
<b>Reports, Plans</b>	10-1116.3 10-7003-5.3,5.4 10-7003-5.6	also review board makes annual report individualized service plan filed with court within 30 days child adjudicated deprived review hearing reports, including report by attorney for child
<b>Atty/GAL for Children</b>	10-7002-1.2 10-7003-3.7	court to appoint counsel for child in divorce/custody dispute if allegations include abuse and neglect court shall appoint counsel for child; GAL shall not be D.A. or member of agency; priority given to appoint CASA as GAL
<b>Attorney for Parent</b>	10-7003-3.7 10-7003-3.7	counsel appointed if indigent court may appoint GAL; and shall appoint if child requests
<b>CASA</b>	10-7001-1.3(7) 10-7003-3.7	CASA defined mandates CASA program in each judicial district; duties described
<b>T.P.R. and Adoption</b>	7006-1.1 10-1130,1131 10-1133 10-7006-1.1;1.2;1.4;1.5 10-1134	procedures notice of hearing (held 10 days after receipt of notice) adoption after parental rights terminated -- cannot challenge after 3 mos. notice of hearing within 10 days; action to adopt action to adopt cannot be combined with action to t.p.r.
<b>Reasonable Efforts</b>	10-7001-1.2	discusses reasonable efforts and best interests in purposes of code

Appendix B: Individual State Matrices

**OREGON**  
1996 Supp.

<b>Definitions</b>	419B.005	abuse; neglect
<b>Voluntary Placement</b>	not specified	
<b>Emergency Hrg. or "Shelter Hrg."</b>	419B.150 419B.168 419B.183 419B.185	protective custody -- notice of a parent or guardian a.s.a.p. without unnecessary delay, take child before court or shelter care no child shall be held in shelter care for more than 24 hrs (excl. weekends and holidays) without a hearing evidentiary hearing described
<b>Petition Filed</b>	419B.230 419B.233 419B.242	who may file (any person) temporary custody after filing petition contents
<b>Adjudic. Hrg.</b>	419B.271 419B.310	hearing w/i 24 hours after issuance of summons may be continued from time to time; no jury; burden of proof = preponderance of the evidence; no time set
<b>Dispo. Hrg.</b>	419B.325 419B.331	described; no time set disposition alternatives
<b>Court Reviews</b>	419B.349 419B.449  419B.470 419B.476 419A.120	(no time frame given) court has right to review placement court may hold a hearing upon receipt of 6 month (or other) reports; or if requested by child, attorney, parents guardians, or agency within 30 days of receiving notice court conducts disposition review hearing no later than 18 mos. after original placement (or any time upon request) order entered within 20 days of hearing -- may order new plan submitted within 10 days court reviews findings of citizen review board within 10 days of report
<b>Court Permanency Plan Reviews</b>	419B.470	"periodically" after 18 month review
<b>Permanency Deadline</b>	419B.470	disposition review hearing w/i 18 months after original placement or upon request
<b>Agency or Citizen Review</b>	419A.090	local citizen review boards -- first review no later than 6 mos. after placement with subsequent reviews and every 6 mos. thereafter -- board reviews any case in which t.p.r. denied no later than 45 days after receiving petition notice



<b>Reports, Plans</b>	419B.343 419B.440  419B.443 419B.446	case plan reports required of children's services division reports required by anyone having legal custody of child "as soon as practicable" and every 6 mos. thereafter -- also review 6 mos. after t.p.r. and child adopted contents of reports filing of report with review board
<b>Atty/GAL for Children</b>	419A.180(9) 419B.195  419B.198 419B.220  419B.223 419B.115  109.119	CASA deemed GAL for federal requirements court shall appoint counsel, upon request, if parents indigent; court shall appoint counsel for all children when allegations of abuse and/or neglect (at parent's expense) may require parents to pay "educational surrogate" -- before making child ward of court, preliminary investigation conducted to determine if child needs special education duties, responsibilities parties to proceedings include g.a.l., casa, child services division, an "intervenor" can petition court for right to "limited participation" in proceedings
<b>Attorney for Parent</b>	419B.205  419B.518	counsel appointed if indigent and nature of proceedings and due process require (examples listed) counsel appointed for parent in t.p.r. cases
<b>CASA</b>	419B.170	court shall appoint CASA in every case; if no CASA available, court may appoint employee of judicial department or other suitable person
<b>T.P.R. and Adoption</b>	419B.460  419B.500-517  419B.521	when child has been surrendered for adoption agency shall file petition within 6 mos. t.p.r. procedures and standard of proof = clear and convincing evidence hearing must be held within 10 days of notice
<b>Reasonable Efforts</b>	419B.340	reasonable efforts determination - full statute describing requirements

Appendix B: Individual State Matrices

PENNSYLVANIA  
1997 Supp.

<b>Definitions</b>	23 /6303 42/6302	"child abuse;" "sexual abuse;" "etc." "dependent child"
<b>Voluntary Placement</b>	42/6323  23/2511(5)	informal adj. before petition filed - report back to judicial officer w/i 3 months; valid for 6 months unless extended 3 months (specifically authorized for dependent child) implies voluntary agreement
<b>Emergency Hrg. or "Informal Hrg."</b>	23/6315 42/6332	no protective custody unless order from court w/i 24 hrs; informal hearing w/i 72 hrs of placement in shelter care
<b>Petition Filed</b>	23/6315 42/6331  42/6334	petition to be filed w/i 48 hrs of informal hearing petition presented to court w/i 24 hrs or next business day when emergency removal petition contents
<b>Adjudic. Hrg.</b>	42/6335  42/6336 42/6341	not later than 10 days after petition if child in shelter care, unless good cause up to an additional 10 days conduct of hearing adjudication described; burden of proof = clear and convincing evidence
<b>Dispo. Hrg.</b>	42/6341(c)  42/6351	hearing immediately or postponed, but no more than 20 days after adjudicatory hearing if child out of home disposition alternatives
<b>Court Reviews</b>	42/6351(e)	w/i 6 months of removal from home; second review w/i another 6 months; third in another 6 months and then every 12 months - unless long term foster care w/i another adoptive family
<b>Court Permanency Plan Review</b>	not specified	
<b>Permanency Deadline</b>	not specified	
<b>Agency or Citizen Review</b>	42/6343  42/6307	investigative child protective services by dept. of public welfare & the Commonwealth inspection of court files & records (judiciary, public or private agencies)
<b>Reports, Plans</b>	42/6339	social study (child, family, enviro, other)

<b>Atty/GAL for Children</b>	42/6332 42/6337	appointment of counsel if needy counsel to be provided unless parents waive; they cannot waive if their interests conflict
<b>Attorney for Parent</b>	42/6332 42/6337	appointment of counsel if needy appointment if needy
<b>CASA</b>	23/6111	domestic violence counselor/advocate (does not def)
<b>T.P.R. and Adoption</b>	23/2511 23/2512 23/2701 et seq	t.p.r; grounds for involuntary termination petition adoption
<b>Reasonable Efforts</b>	not specified	

Appendix B: Individual State Matrices

**RHODE ISLAND**  
1996 Supp.

<b>Definitions</b>	40-11-2	"abused and/or neglected child"
<b>Voluntary Placement</b>	42-72-14 14-1-11.1	department may accept voluntary placements; must return child to parent w/i 10 days of request, unless temp. custody sought from court; department to petition court for continuation w/i 120 days; court to schedule hearing w/i 60 days agency shall petition court for care and custody of child in voluntary placement 12 months; no need to petition if child with disabilities placed to access residential facility
<b>Emergency Hrg.</b>	40-11-5 40-11-7.1	medical practitioner hold for 72 hrs. or law enforcement hold; but cannot hold in protective custody more than 48 hrs. without approval of family court hearing on ex parte petition w/i 7 days of filing
<b>Petition Filed</b>	40-11-7	petition for protective supervision or removal
<b>Adjudic. Hrg.</b>	40-11-7.1	w/i 10 days of request for hearing
<b>Dispo. Hrg.</b>	40-11-12	disposition alternatives
<b>Court Reviews</b>	40-11-12.1	family court review within 12 mos. after child placed in foster care (or whenever necessary)
<b>Court Permanency Plan Reviews</b>	42-72-14	within 120 days of voluntary placement, court will determine best placement; family court must schedule hearing within 60 days of petition
<b>Permanency Deadline</b>	40-11-12.1	w/i 12 months from placement, agency shall petition for dispositional hearing; if court does not continue foster care, agency must institute TPR proceeding w/i 30 days; for a child under 10 in care for 12 months, court shall order proceedings toward adoption, unless certain factors
<b>Agency or Citizen Review</b>	40-11-12.2	agency shall present reunification plan or case plan at every disposition or review hearing
<b>Reports, Plans</b>	42-72-10	department to prepare service plan for every child; department must review every 6 months to see if in best interests
<b>Atty/GAL for Children</b>	40-11-7.1 40-11-14	GAL or CASA appointed at first hearing GAL or CASA appointed at discretion of court

<b>Attorney for Parent</b>	40-11-7.1	attorney appointed if indigent
	40-11-14	if indigent, and if requested, at court's discretion, court may appoint (public defender)
<b>CASA</b>	40-11-7.1	CASA implied
	40-11-7	report to child advocate re: petition
<b>T.P.R. and Adoption</b>	15-7-7	t.p.r. (clear and convincing evidence); out-of-home placement 12 month prima facie evidence of problem
	15-7-4	petition to adopt
	15-7-6	waiver of parental rights to consent
	15-7-7.1	court proceedings within 180 days of t.p.r. petition
	15-7-7.1	6 mo. trial period in proposed home
<b>Reasonable Efforts</b>	not specified	

**SOUTH CAROLINA**  
1996 Supp.

<b>Definitions</b>	20-7-490	"abused & neglected child"
<b>Voluntary Placement</b>	20-7-635	temporary crisis homes for voluntary placement for no more than 72 hrs.
<b>Emergency Hrg.</b>	20-7-610(D) 20-7-610(H) 20-7-610(K)	department to convene family w/i 24 hrs. of emergency removal, if possible, for meeting on corrective action or placement preliminary investigation w/i 72 hrs. emergency protective custody hearing w/i 72 hrs. of removal, excl s/s/h; may be by video conference
<b>Petition Filed</b>	20-7-610(I) 20-7-736	initiate proceedings by end of next business day after initiating investigation of child emergency removal removal petition filed by agency within 10 days; pretrial hearing within 10 days of initiation of proceedings; custody hearing (removal) within 30 days of removal petition (see also jurisdiction & proceedings family court)
<b>Adjudic. Hrg. or "Removal Hrg."</b>	20-7-610(K) 20-7-738 20-7-755	hearing must be held w/i 35 days of receipt of petition for removal (or protective supervision) hearing described for protective supervision no jury; hearing conducted in formal manner
<b>Dispo. Hrg.</b>	20-7-764	plan presented to court w/i 10 days of removal hearing; court to hold hearing if requested
<b>Court Reviews</b>	20-7-762(C)	unless services are to terminate earlier, review at least once every 12 months in protective services cases
<b>Court Permanency Plan Review</b>	20-7-766(G)	if child under 14 and in permanent foster care, no reviews; if reunification still part of plan, hearing w/i 6 months; if TPR, annually after TPR; in other specified cases, reviews every 6-12 months, or upon request
<b>Permanency Deadline</b>	20-7-766	hearing no later than one year after date child first placed in foster care; court may order continued protective supervision for 12 months; if no return, court shall order agency to file TPR w/i 60 days, unless interests; may continue for specified purposes only
<b>Agency or Citizen Review</b>	20-7-5900 20-7-2376  20-7-2391	state child fatality advisory committee foster care review board; review every 6 months and at least once every 6 months, every child in public foster care for more than 4 months and on private foster care more than 6 months person aggrieved of recommendations may seek hearing with family court

<b>Reports, Plans</b>	20-7-740 20-7-762 20-7-780	investigative report (content) case plan records/info
<b>Atty/GAL for Children</b>	20-7-110 20-7-1570	counsel and GAL to be appointed; attorney cannot be same for parents or agency GAL appointed in t.p.r.; counsel for GAL if petition contested
<b>Attorney for Parent</b>	20-7-110(2) 20-7-1570	indigent parents must have counsel appointed appointment in t.p.r. proceeding if indigent
<b>CASA</b>	20-7-121	GAL program established to train volunteer court appointed special advocates; administered by government office
<b>T.P.R. and Adoption</b>	20-7-1566 20-7-1572	content of petition order terminating
<b>Reasonable Efforts</b>	20-7-1572(2) 20-7-610(L)(6)	reasonable efforts by agency to find alternatives implied

Appendix B: Individual State Matrices

**SOUTH DAKOTA**  
1997 Supp.

<b>Definitions</b>	26-7A-1 26-8A-2	"abused or neglected child" abused or neglected child defined
<b>Voluntary Placement</b>	not specified	
<b>Emergency Hrg.</b>	26-7A-13.1 26-7A-12 26-7A-14  26-7A-15 26-7A-18 26-7A-19(3) 26-8A-21	intake officer, judge or court designee to conduct hearing immediately if child removed without court order temporary custody without court order (no time specified) temporary custody not to exceed 48 hrs; court can release child from temp. custody at any time without hearing and with or without restrictions/conditions on parents/guardian temp. custody hearing within 48 hrs hearing can be conducted by phone if child in temp. custody, but not adjudicated, court will review temp. custody placement at least once every 60 days reasonable efforts finding required
<b>Petition Filed</b>	26-7A-43 26-7A-14	contents temporary custody no more than 48 hrs., excl s/s/h, without petition filed
<b>Adjudic. Hrg.</b>	26-7A-54 26-7A-55 26-7A-82	advisory hearing before adjudicatory hearing to advise rights and receive admission or denial if petition denied at pre-hearing, date set for adjudication adjudicatory hearing defined; burden of proof = clear and convincing evidence
<b>Dispo. Hrg.</b>	26-7A-87 26-7A-89 26-8A-22	immediately or at a later date set at adjudicatory hearing continuance w/i 3 months between hearings disposition alternatives (final disposition)
<b>Court Reviews</b>	26-7A-104,109 26-8A-24	party may petition to restore custody review hearings every 6 months
<b>Court Permanency Plan Review</b>	not specified	
<b>Permanency Deadline</b>	26-8A-26	child may not remain in foster care more than 12 months without p/p disposition made
<b>Agency or Citizen Review</b>	26-8A-17	child protection teams for investigations and treatment of child abuse and neglect
<b>Reports, Plans</b>	26-7A-103	court may order report from guardian or institution with custodial care



<b>Atty/GAL for Children</b>	26-7A-31	court shall appoint attorney if indigent and if requested or if court finds necessary
	26-8A-20	appointment of GAL or special advocate if child adjudicated
<b>Attorney for Parent</b>	26-7A-31	court shall appoint attorney if indigent and if requested
<b>CASA</b>	not specified	
<b>T.P.R. and Adoption</b>	26-8A-26	finding may be made at disposition review hearing
	26-8A-27	TPR order
<b>Reasonable Efforts</b>	26-8A-21	reasonable efforts to eliminate need for removal, to return child home, how to determine adequacy of efforts

Appendix B: Individual State Matrices

TENNESSEE

1996

<b>Definitions</b>	37-1-102	"abuse," "dependent," and "neglected"
<b>Voluntary Placement</b>	37-1-110	informal adjustment --before or after petition filed for up to 3 months unless extended by court
<b>Emergency Hrg. or "Preliminary Hrg."</b>	37-1-114a(2) 37-1-117(c) 37-1-128(2)	a child shall not be placed in shelter care prior to hearing on petition unless deemed abused or neglected no more than 72 hrs days after removal excl. s/s/h (may be waived) "emergency temporary care" -- no order for emergency temporary care remains in effect for more than 2 days unless petition filed
<b>Petition Filed</b>	37-1-117 37-1-119 37-1-120 37-1-128	petition made promptly after emergency removal if child not returned by any person contents if court corders temporary custody, petition must be filed within 2 days, excluding Saturdays, Sundays, holidays
<b>Adjudic. Hrg.</b>	37-1-124 37-1-125	without jury, in informal but orderly manner interloc. hearing pending final hearing for person served by publication
<b>Dispo. Hrg.</b>	37-1-128(g)  37-1-130 37-2-403  37-1-129	disposition must be held within 30 days of adjudication (for child in custody) disposition alternatives court to review placement plan within 60 days of foster care placement after hearing evidence on petition, the court shall make and file its findings as to whether child is abused or neglected -- if court finds that the child is abused or neglected it shall file written findings of fact within 30 days of close of hearing or, if an appeal of a petition of certiorari is filed, 5 days thereafter, excluding Sundays. -- burden of proof = clear and convincing evidence
<b>Court Reviews</b>	37-1-130(e) 37-2-403	provisions for notice of home visits and court review court or board to review plan at least annually
<b>Court Permanency Plan Reviews</b>	37-2-409 37-2-403   37-2-409	at least every 12 months while in foster care after 18 month hearing court reviews permanency plan within 60 days of foster care placement -- if plan is not prepared, or parties do not agree on plan, court can continue review hearing for up to 30 days -- a plan for a child who remains in care for 1 yr may be modified to a "long-term agreement" between foster parent and agency -- "long-term agreement" described hearing within 18 months of placement
<b>Permanency Deadline</b>	not specified	

<b>Agency or Citizen Review</b>	37-1-407	child abuse review team - multidisciplinary team to serve as diagnostic and prognostic service for department in all cases of child abuse
	37-2-406	advisory review boards on foster care may be appointed to review cases -- if judge cannot review -- must review no more than 90 days after foster care placement and every 6 months, unless judicial review -- report to judge within 30 days
<b>Reports, Plans</b>	37-1-128(2)	if court orders dept. to make assessment of special needs of child, report must be received by court within 15 days (extensions for good cause for up to 30 days)
	37-1-130	reports and recommendations by agency or dept. in cases of abuse must be filed with court within 30 days after court orders report
	37-2-403	contents of agency's permanency plan must be filed with court within 30 days of foster care placement
	37-2-404	in addition to permanency plan, each agency must submit a "progress report" to court or advisory review board for each child in its foster care -- progress reports must be submitted within 90 days and no less frequently than every 6 mos.
<b>Atty/GAL for Children</b>	37-1-149	upon request of any party, GAL to be appointed if conflict with parent's interest; GAL must be appointed if child alleged abused, neglected; may appoint CASA also
<b>Attorney for Parent</b>	not specified	
<b>CASA</b>	37-1-149	court may appoint a special non-lawyer advocate for child -- duties described
<b>T.P.R. and Adoption</b>	37-1-147	authorization
	37-2-403	provisions if parents fail to appear at review hearings
<b>Reasonable Efforts</b>	37-1-166	reasonable efforts determination must be made before child retained by dept. -- reasonable efforts described

Appendix B: Individual State Matrices

TEXAS  
1997

<b>Definitions</b>	261.001(1) 261.001(4)	abuse neglect
<b>Voluntary Placement</b>	262.004 262.005 263.003	taking voluntary possession of child on voluntary delivery by parent, guardian petition must be filed by the 60th day after child taken into custody department to request court review of substitute care within 60 days of voluntary placement
<b>Emergency Hrg.</b>	262.103 262.105  262.106 262.101  262.102 262.104 262.111	emergency orders expire no later than 14 days after first issued petition to request hearing within 1 working day after child taken into possession within 1 working day; if court order, at least within 3 days filing petition in an emergency or when there is no time for an adversary hearing emergency order authorizing possession of child taking possession of child without a court order expedited hearing and appeal in emergency --dept. is entitled to expedited hearing if it determines child should be removed from home (no time frame given); parents are entitled to an expedited appeal (no time frame given).
<b>Petition Filed</b>	262.005 262.105	petition to be filed within 60 days of voluntary placement without unnecessary delay after emergency removal (with hearing within 1 working day of removal)
<b>Adjudic. Hrg. or "Full Adversary Hrg."</b>	262.201 262.201	held no later than 14th day after the removal of the child burden of proof = sufficient evidence to satisfy a person of ordinary prudence and caution
<b>Dispo. Hrg.</b>	not specified	
<b>Court Reviews</b>	263.304  263.201 263.305	initial review hearing no later than 180 days after full adversary hearing  no later than 60 days after full adversary hearing (review status plan) subsequent reviews not earlier than 5 1/2 months and not later than 7 months after last hearing unless good cause
<b>Court Permanency Plan Reviews</b>	not specified	
<b>Permanency Deadline</b>	not specified	

<b>Agency or Citizen Review</b>	261.312 264.406 263.002	agency review teams -- review all dept. cases agency multidisciplinary review teams review all cases court shall hold a hearing to review substitute care
<b>Reports, Plans</b>	107.051 263.101 263.102 263.303	court may order social study of circumstances of home to be conducted by agency or "some other person appointed by the court." no later than 45th day after full adversary hearing, dept. shall file a "full service plan" with the court contents of "full service plan" described status reports to be filed within 10 days before each review hearing
<b>Atty/GAL for Children</b>	107.001 107.011 107.012 107.031 107.014	in case in which t.p.r. requested, GAL to be appointed unless attorney appointed or interests of child adequately protected; in other cases, appointment at the discretion of the judge appoint attorney when necessary to protect interests of the child in t.p.r. cases, appointment of attorney ad litem for child is mandatory immediately after filing court may appoint volunteer advocate powers and duties of attorney ad litem
<b>Attorney for Parent</b>	107.001(d) 107.011 107.013	GAL appointed for any minor or incompetent parent appoint attorney when necessary to protect interests of child mandatory appointment of attorney for indigent parents in termination of parental rights cases
<b>CASA</b>	107.031 264.601 264.607	court may appoint volunteer advocate as well as a group of court-certified volunteers to serve as an administrative review board to advise the court about placement "Court-Appointed Volunteer Advocates" -- defined duties of court appointed advocates
<b>T.P.R. and Adoption</b>	102.001 161.001 et seq 263.309 264.205	suits for t.p.r. t.p.r. proceedings if parental rights terminated, court shall review dept's efforts to place child for adoption, once every 6 mos. "Swift Adoption Teams" -- mandated by law for dept. in order to expedite adoption -- shall report to legislature annually
<b>Reasonable Efforts</b>	263.307	factors in determining "best interests of the child"

Appendix B: Individual State Matrices

UTAH  
1996 Supp.

<b>Definitions</b>	62A-4a-101	abuse, dependent child, neglect
<b>Voluntary Placement</b>	not specified	
<b>Emergency Hrg. or "Shelter Hrg."</b>	78-3a-306	"Shelter Hearing" - shall be held within 72 hours after removal of a child from his home excluding weekends and holidays; upon removal division shall issue a notice including date, time and place of the shelter hearing; concise statement of facts; notice served "as soon as possible" but at least 24 hours prior to time set for shelter hearing -- service on appropriate GAL, parents -- who should be present at hearing specified -- procedures of shelter care hearing outlined
	78-3a-307	"Shelter Hearing" when child placed in home of noncustodial parent or relative -- procedures of hearing outlined, evidence given -- any preferential consideration that a relative may be initially granted custody expires 30 days from the date of the shelter hearing
<b>Petition Filed</b>	78-3a-305	any interested party may file; if child removed petition to be filed before shelter hearing
<b>Adjudic. Hrg.</b>	78-3a-308	within 15 days from shelter hearing, court to set pretrial hearing -- may be continued, but final adjudication within 45 days from shelter hearing -- pretrial may be continued
	78-3a-308	"final adjudication hearing" shall be held no later than 45 calendar days from the date of the shelter hearing
	78-3a-309	notice --contents--who served
<b>Dispo. Hrg.</b>	78-3a-310	at time of adjudication or within 30 days
	78-3a-311,516	disposition alternatives
<b>Court Reviews</b>	78-3a-314	"periodic review hearings" --following the dispositional review hearing, periodic review hearings shall be held by the court or by a court appointed administrative body within the division of family services at least every 6 months
<b>Court Permanency Plan Reviews</b>	78-3a-312	if child not returned at 12 month hearing, schedule final determination hearing within 120 days
	78-3a-313	review hearings at least every 6 months
	78-3a-412	review hearing within 90 days of t.p.r
<b>Permanency Deadline</b>	78-3a-311	if child removed, reunification efforts for maximum of 12 months from date of initial removal; if child cannot be returned, p/p to be finalized; if child under 2, court may discontinue reunification services at 6 months and burden shifts to parents

<b>Agency or Citizen Review</b>	78-3a-319	members of interdisciplinary child protection teams, established under 62A-4a-409 may participate in coordination of proceedings
	78-3a-314	"periodic review hearings" --after the dispositional review hearing, periodic review hearings may be held either by the court or by a court-approved administrative body within the division of family services at least every 6 months (see permanency plan reviews below as well)
	62A-4a-202.3	within 24 hours of removal, excluding Saturdays, Sundays, holidays, department to convene child protection team to assess case and services
<b>Reports, Plans</b>	62A-4a-205	no more than 45 days from temp. custody, treatment plan finalized
<b>Atty/GAL for Children</b>	78-3a-314	minor should be represented by GAL at every hearing, including t.p.r. proceedings
	78-3a-912	court may appoint attorney GAL
	78-3a-306	child's GAL present for shelter care hearing
<b>Attorney for Parent</b>	78-3a-314	if financially unable and child out of home or agency requested t.p.r., court should appoint
<b>CASA</b>	78-3a-912(4)	use of CASA trained volunteers
<b>T.P.R. and Adoption</b>	78-3a-402	proceedings for t.p.r. (foster parent may petition)
	62A-4a-205.6	intensive effort to place child in adoptive home within 30 days of t.p.r.
<b>Reasonable Efforts</b>	62A-4a-203	reasonable efforts defined to be those efforts which would be effective in a 6 month period
	62A-4a-204	determination of reasonable efforts

Appendix B: Individual State Matrices

VERMONT  
1996 Supp.

<b>Definitions</b>	33/4912 33/5502	"abused or neglected child" "child in need of care or supervision"
<b>Voluntary Placement</b>	not specified	
<b>Emergency Hrg. or "Detention Hrg."</b>	33/5513 33/5515 VRFP2(c)*	if removed, officer must deliver child to court immediately for an order of detention w/i 48 hrs. of order of removal; may grant one 24 hr. extension court to hold preliminary hearing and set status conferences
<b>Petition Filed</b>	33/5517	described (no times set)
<b>Adjudic. Hrg.</b>	33/5519 33/5523	if child in shelter care, no more than 15 days from petition conduct of hearing; no jury
<b>Dispo. Hrg.</b>	33/5526 33/5528	may be held immediately but not later than 30 days after adjudication disposition alternatives
<b>Court Reviews</b>	33/5531 33/5532	for child under 3, upon motion court may hold review every 6 months; for children 3-6, review may be at 12 months parties may petition for modification
<b>Court Permanency Plan Review</b>	33/5531 33/5531	every year after 18 month review indeterminate period; to be reviewed 1 1/2 years after custody initially transferred
<b>Permanency Deadline</b>	33/5531	not specified; "indeterminate period";
<b>Agency or Citizen Review</b>	33/4917	multidisciplinary team to coordinate professional services
<b>Reports, Plans</b>	33/5527	disposition report after adjudication
<b>Atty/GAL for Children</b>	33/5525 VRFP6(a)	upon request or on its own, court shall appoint GAL if child's interests conflict with parents or if court feels in best interests court shall appoint counsel to represent child
<b>CASA</b>	not specified	

\*VRFP -- Vermont Rules of Family Procedure



<b>T.P.R. and Adoption</b>	15A-3-501 15A-3-504 VRFP3	Part 5 - petition to terminate relationship between parent & child grounds for TPR status conference set w/i 15 days of filing petition for TPR
<b>Reasonable Efforts</b>	not specified	

Appendix B: Individual State Matrices

**VIRGINIA**  
1996

<b>Definitions</b>	63.1-248.2 16.1-228	"abused or neglected child" "abused or neglected child"; "child in need of services"
<b>Voluntary Placement</b>	63.1-56  16.1-277	local board can accept children for placement from parents; board to petition family court within a reasonable time not to exceed 30 days, unless the voluntary agreement stipulates entrustment for no more than 90 days voluntary entrustment
<b>Emergency Hrg. or "Preliminary Removal Hrg."</b>	63.1-248.9 16.1-247 16.1-251	child may be taken into custody up to 72 hours; emergency removal order or hearing within 72 hours excl. s/s/h; not to exceed 96 hours bring child before court or intake officer during court hours with all possible speed emergency order for removal; hearing within 5 business days
<b>Petition Filed</b>	16.1-262	form
<b>Adjudic. Hrg.</b>	16.1-252 16.1-252	at least 24 hours notice; burden of proof is preponderance of the evidence; adjudication made unless objections adjudicatory hearing to be set within 30 days of preliminary hearing if objection to findings at preliminary hearings
<b>Dispo. Hrg.</b>	16.1-252(H) 16.1-278.2 16.1-278.4	within 75 days of preliminary hearing disposition alternatives disposition alternatives
<b>Court Reviews</b>	16.1-281  16.1-282	foster care review hearing to be set for within 6 months after foster care plan presented or reviewed (within 6 months of disposition hearing) parties may petition for review; agency must petition within 5 months of foster care plan review; court to schedule hearing within 30 days
<b>Court Permanency Plan Reviews</b>	16.1-282.1(D) 16.1-282(E)	annual review 12 months from disposition hearing, except if in permanent foster care or w/i 30 days of petition; request for continuation of custody only for 6 months; must be w/i 12 months of disposition hearing
<b>Permanency Deadline</b>	not specified	
<b>Agency or Citizen Review</b>	63.1-248.6 63.1-248.7 63.1-248.7.1 63.1-248.16 63.1-248.18	child protective services board -- multidisciplinary teams child protective services unit -- powers and duties state board of social services oversight duties advisory board on child abuse and neglect pilot multiple response team (effective 3/1/97)

<b>Reports, Plans</b>	16.1-296(3) 16.1-281	appeals within 10 days foster care plan -- reports of substance abuse filed within 14 days -- within 45 days whether abuse found or not
<b>Atty/GAL for Children</b>	16.1-266 16.1-266.1	appointment of counsel as GAL where child is subject to entrustment agreement on t.p.r.; court shall appoint attorney if indigent child (can be waived); court may appoint attorney GAL in all other cases standards for attorney appointed GAL
<b>Attorney for Parent</b>	16.1-266(c)	appoint attorney for indigent parent (may be waived)
<b>CASA</b>	not specified	
<b>T.P.R. and Adoption</b>	16.1-283	t.p.r. procedures (no times set)
<b>Reasonable Efforts</b>	16.1-251(2)	reasonable efforts to prevent removal of child

Appendix B: Individual State Matrices

WASHINGTON  
1997 Supp.

<b>Definitions</b>	26.44.020 13.34.030	"abused"; "neglected" "dependent child"
<b>Voluntary Placement</b>	13.70.100	agency reporting procedure in voluntary placements; review w/i 90 days of child's placement; second review w/i 6 months of placement; then another 6 months
<b>Emergency Hrg.</b>	13.34.060 13.34.060(11) 26.44.050 26.44.056 26.44.056 26.44.115	child in shelter care w/i 72 hours, excl. s/s/h, without court order; hearing w/i 72 hours, excl. s/s/h; parent can waive hearing; notice to parents w/i 24 where child taken into custody with court order hearing can be continued and rescheduled for a time w/i 72 hours of request by parent or guardian temporary protective custody in emergency must notify the court in 72 hrs. that child has been taken to hospital child protective services may detain child until court assumes custody, but in no case longer than 72 hrs. if child taken into custody pursuant to court order, parents must be notified immediately
<b>Petition Filed</b>	13.34.040 13.34.070	any person may file petition
<b>Adjudic. Hrg. or "Fact-finding Hrg."</b>	13.34.070(1) 13.34.110 13.34.130	hearing on petition w/i 75 days, unless exceptional circumstances hearing; parties need not appear if agreement burden of proof = preponderance of evidence
<b>Dispo. Hrg.</b>	13.34.110 13.34.130 13.34.130(2)	immediately following adjudicatory hearing or w/i 14 days for good cause; parties do not need to attend if all in agreement disposition alternatives court may order t.p.r. petition to be filed
<b>Court Reviews</b>	13.34.130(5)	review every 6 months (unless foster care review board) from date of placement or date of adjudication, whichever is first; if child returned home, supervision for 6 months
<b>Court Permanency Plan Reviews</b>	13.34.145(8) 13.70.140	at least every 12 months have a p/p hearing; unless permanent guardian, court to review every 6 months every 6 months after p/p hearing
<b>Permanency Deadline</b>	13.34.154 13.34.1543(a) 13.34.1543(b)	permanency before 15 months in out-of-home care for children under 10 years, p/p hearing after 9 months in care and not later than 12 months after removal for children over 10 years, hearing after 15 months (and before 18 months) in care

<b>Agency or Citizen Review</b>	13.32A.040	multidisciplinary team to provide family reconciliation services
	13.32A.044	assist in coordination of services
	13.70	citizen review board system (pilot project)
	13.70.100	agency reporting procedure in voluntary placement; w/i 30 days report to court; w/i 45 days court shall assign case to a board and board shall review w/i 90 days of commencement of placement; second review w/i 6 months of placement; next review w/i 1 year of placement; w/i 10 working days of review, board shall report to all parties setting forth case plan
	13.70.110	review procedure if child in nonvoluntary placement same as above except w/i 18 months of placement a p/p hearing must be held; thereafter, court assigns case to board or court review at least once a year; board reviews cases where parental rights are terminated no later than 45 days after denial; w/i 45 days of board review the board shall schedule case for next review and submit findings to court; w/i 10 days court will review
<b>Reports, Plans</b>	13.34.120	social study and report to be mailed to parents more than 10 days from disposition hearing
	13.34.145	permanent plan to be prepared w/i 60 days from disposition or placement
	13.34.145(5)	10 days before p/p hearing, report to court
<b>Atty/GAL for Children</b>	13.34.100	court shall appoint GAL, unless court finds it unnecessary; can be independent counsel
	13.34.100(b)	court may also appoint legal counsel
	26.44.053	court shall appoint GAL
<b>Attorney for Parent</b>	13.34.090	appointment of attorney if indigent
<b>CASA</b>	13.34.030	included in definition of GAL
	13.34.100	GAL program
	13.34.100(8)	appointment of CASA or voluntary GAL
<b>T.P.R. and Adoption</b>	13.34.180	t.p.r. petition
	13.34.190	after hearings, court may enter order to TPR
	13.34.200	rights of parties
	13.34.220	findings of fact, conclusions of law; presented to court by prevailing party w/i 30 days of court's extension
<b>Reasonable Efforts</b>	not specified	

Appendix B: Individual State Matrices

WEST VIRGINIA

1996

<b>Definitions</b>	49-1-3	"abused child"; "child abuse and/or neglect"; "neglected child"
<b>Voluntary Placement</b>	49-6-2(b) 49-6-5(c) 49-6-8	court may grant an "improvement period"; can grant pre-adjustment 6 month improvement period can be ordered at disposition 12 months after voluntary placement, agency to file petition for review
<b>Emergency Hrg. or "Preliminary Hrg."</b>	49-6-3 49-6-3(c)	with court order, protective hearing w/i 10 days of removal; or with 5 days notice if no removal; if temporary care ordered, must end w/i 60 days in emergency, child can be removed; CPS must "forthwith appear" before court and get emergency order
<b>Petition Filed</b>	49-6-1 49-6-3	state department or "reputable person" may file if child removed, petition must be filed w/i 2 judicial days
<b>Adjudic. Hrg.</b>	49-6-2(c) 49-6-2(d)	burden of proof = clear and convincing evidence; priority setting over other civil matters hearings to be held as near as possible to previous hearings; with respect to hearing at the end of an improvement period, hearing held w/i 60 days of termination of that period
<b>Dispo. Hrg.</b>	49-6-5	disposition hearing and alternatives; may terminate parental rights at disposition
<b>Court Reviews</b>	49-6-8	12 months after placement, agency to petition for review (hearing in chambers)
<b>Court Permanency Plan Review</b>	49-6-8(b)	18 months after 12 month review and every 18 months after, agency to file a supplementary petition for review
<b>Permanency Deadline</b>	not specified	
<b>Agency or Citizen Review</b>	49-5D 49-5D-5	multidisciplinary teams for evaluation and coordinated service delivery for children to assist with p/p child fatality review team
<b>Reports, Plans</b>	49-6D-3 49-6-5 49-6-8(d)	family case plans for parents of abused and neglected children case plan filed with court after adjudication, including p/p, sent to parents 5 days before disposition hearing agency to file report whenever child in 3 placements in one year; report 30 days after third placement
<b>Atty/GAL for Children</b>	49-6-2	counsel appointed if indigent; one attorney may represent all children

<b>Attorney for Parent</b>	49-6-2 counsel appointed if indigent; same attorney cannot represent both parents unless consent
<b>CASA</b>	not specified
<b>T.P.R. and Adoption</b>	not specified
<b>Reasonable Efforts</b>	not specified

Appendix B: Individual State Matrices

WISCONSIN

1997

<b>Definitions</b>	48.02 48.13 48.981	"abuse" "in need of protection or services" "neglect"
<b>Voluntary Placement</b>	48.21(7) 48.245 48.32 48.63	at emergency hearing, court may order informal disposition under 48.245 intake worker may enter into informal disposition without court involvement; valid up to 6 months with one 6 month extension consent decree; valid for 6 months voluntary agreements; not to exceed 6 month extensions
<b>Emergency Hrg.</b>	48.21	hearing within 24 hrs of decision to hold (excl. s/s/h); may be extended 48 hrs with approval of court
<b>Petition Filed</b>	48.21 48.25(2A) 48.255	petition must be filed before emergency hearing where child removed; child may be held for additional 72 hours after hearing if no petition; only one extension petition within 20 days after filing of intake workers' recommendation; if petition not filed case returned to intake worker who has 20 days to close case; further investigations conducted within 20 days contents
<b>Adjudic. Hrg. or "Plea Hrg." and "Fact-finding Hrg."</b>	48.30(1) 48.30(5) 48.31 48.299	plea hearing within 30 days after filing petition if child involuntarily removed, plea hearing w/i 30 days of request fact-finding hearing may be jury trial; burden of proof = clear and convincing evidence closed unless child demands open, and then at discretion of court; court may exclude child under 7, and temporarily at its discretion and with consent of child's counsel or GAL
<b>Dispo. Hrg.</b>	48.31(7) 48.32(1,2) 48.345 48.345 48.365	disp. hearing no more than 30 days from fact-finding hearing consent decree (suspension of proceedings) in effect for 6 months & continued additional 6 months disposition "in need of services" dispositional orders (alternatives); valid for one year or less disposition order (which must include expiration date) cannot be extended without hearing
<b>Court Reviews</b>	48.363 48.38(5)	parties may request modification of disposition order; court may hold hearing with 3 days notice plan review by court or panel every 6 months from date of placement
<b>Court Permanency Plan Reviews</b>	48.357(1) 48.38(5) 48.363	court review of changes in placement within 10 days review every 6 months revision of dispositional orders; no revision shall extend effective period of original order



<b>Permanency Deadline</b>	48.355 48.365	disposition orders valid only for 1 year or less extension orders valid for 1 year except if t.p.r. filed or appeal taken; orders in effect until resolved
<b>Agency or Citizen Review</b>	48.38(5) 48.56 48.982	court may appoint panel to conduct p/p reviews county child welfare services child abuse and neglect prevention board
<b>Reports, Plans</b>	48.33 48.355(2c) 49.425	reports: home placement; out of home placement; foster parents permanency plan required report -termination or parental rights
<b>Atty/GAL for Children</b>	48.20(7)(a) 48.23  48.235	right to counsel if 12 or older if petition is contested, court cannot place child out-of-home unless child is represented at fact-finding and subsequent hearings; if not contested, no placement unless child represented at placement hearing; for children under 12, judge may appoint GAL instead of attorney court shall appoint GAL for child subject of t.p.r. petition
<b>Attorney for Parent</b>	48.23(2)	in contested adoption or involuntary t.p.r., parents under 18 shall be represented; no waiver; minor parent petitioning for voluntary t.p.r. shall have GAL; parent over 18 shall have counsel in contested adoption or involuntary t.p.r., but may waive; court may not appoint counsel for parent in other situations
<b>CASA</b>	not specified	
<b>T.P.R. and Adoption</b>	48.365 48.40 48.46 48.43	if child in custody for 2 years or more, agency must report on whether t.p.r. petition filed t.p.r. procedure; may be by jury parent may petition for rehearing up to 1 year; appeal w/i 30 days post T.p.r. annual review
<b>Reasonable Efforts</b>	48.355(2c)	reasonable efforts standard

Appendix B: Individual State Matrices

WYOMING  
1997

<b>Definitions</b>	14-3-202 14-3-402	"abuse"; "neglect" "neglected child"
<b>Voluntary Placement</b>	14-3-428	consent decree in force not longer than 1 year
<b>Emergency Hrg. or "Shelter Hrg."</b>	14-3-409 14-3-208	informal hearing w/i 72 hours of removal without court order temporary custody by physician in emergency; order by district judge shall not exceed 72 hrs
<b>Petition Filed</b>	14-3-409 14-3-413	to be filed promptly upon emergency removal without court order contents
<b>Adjudic. Hrg.</b>	14-3-409(c) 14-3-423 14-3-425 14-3-426	if parents deny allegations at shelter hearing, adjudicatory hearing set w/i 45 days (but see 426) parties may request jury trial at adjudicatory hearing burden of proof =preponderance if allegations denied at first hearing, adjudicatory hearing to be set w/i 60 days
<b>Dispo. Hrg.</b>	14-3-426(c) 14-3-429	after adjudication, disposition hearing immediately or w/i 60 days; may continue for period not to exceed 60 days disposition alternatives
<b>Court Reviews</b>	not specified	
<b>Court Permanency Plan Reviews</b>	not specified	
<b>Permanency Deadline</b>	14-3-431	disposition order in effect for indefinite period, until child is 18 or until terminated by court
<b>Agency or Citizen Review</b>	14-3-204 14-3-212 14-3-427	agency to prepare treatment plan and review annually multidisciplinary child protection teams to help diagnose and prepare treatment plan multidisciplinary team, including parents to make case plan recommendation
<b>Reports, Plans</b>	14-3-427	predisposition plans with court prior to disposition hearings (no times set)

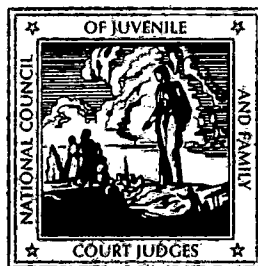
<b>Atty/GAL for Children</b>	14-2-312	in t.p.r., court shall appoint GAL unless interests protected
	14-3-211	court shall appoint counsel, who shall serve as GAL unless another GAL appointed
	14-3-416	court shall appoint GAL if interests adverse or not protected; may not be a party or employee of agency
<b>Attorney for Parent</b>	14-2-312	court may appoint counsel for any part if necessary for interests of justice
	14-3-422	shall appoint counsel upon request if indigent
<b>CASA</b>	not specified	
<b>T.P.R. and Adoption</b>	14-2-308	t.p.r. procedure (no times set)
	14-2-312	right to jury trial
<b>Reasonable Efforts</b>	not specified	

Approved by the Director of the Department of Social Services (DSS) on 10/1/03  
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For additional copies of this *Technical Assistance Bulletin*, please contact the Technical Assistance Group at the Permanency Planning for Children Project, National Council of Juvenile and Family Court Judges: (702) 327-5300; FAX (702) 327-5306; [tadesk@pppncjfcj.org](mailto:tadesk@pppncjfcj.org) Overhead transparencies of the tables and charts contained in this publication are available at a nominal cost.

**NATIONAL COUNCIL OF JUVENILE AND FAMILY COURT JUDGES**

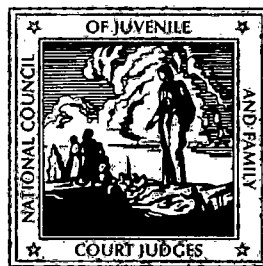


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