

What is a Dependency Petition?

A dependency petition is a legal document addressed to the court about concerns that a child has been abused, neglected or abandoned, and that there is no parent able to safely care for the child. The dependency petition asks the court to step in and protect the child from harm and have the State assume temporary legal custody of the child.

Who are the legal parties to a Dependency case?

The parents and DCYF are legal parties to the case and are represented in court by attorneys. A child's tribe is a legal party to the case. Caregivers are not legal parties and do not have a right to information about the parent's case.

Who is the voice of the child in court?

Children are either appointed a Guardian ad Litem (GAL) or an attorney to tell the judge at court hearings what they believe is in the child's best interests and what the child needs or wants. You may hear the GAL referred to as an Advocate or CASA (Court Appointed Special Advocate). The child's representative will contact you requesting updates on how the child is doing and to arrange a time to talk to the child one-on-one. While it is the child representative's duty to gather information about the child, they cannot share confidential information about the case with you.

What is the caseworker's role in court?

The caseworker makes efforts to keep children safe. The caseworker makes efforts to return the child to the parent, partners with children, youth and families to create a case plan, and makes recommendations and reports progress to the court.

To Resolve Concerns

Contact the assigned caseworker, followed by the assigned supervisor, and then the Area Administrator. https://fortress.wa.gov/dshs/ca/employeedirectory

DCYF Office of Constituent Relations can help to resolve issues. Toll free phone: 1-800-723-4831 constrelations@dcyf.wa.gov www.dcyf.wa.gov/contact-us/constituent-relations

Family and Children's Ombuds investigates complaints about agency action or inaction that involve a child or parent involved with child protection or child welfare services. Toll free phone: 1-800-571-7321 Phone: (206) 439-3870 https://ofco.wa.gov/

To Report Child Abuse or Neglect

Call 1-866-ENDHARM (1-866-363-4276) 24 hours/seven days a week hotline that will connect you directly to the appropriate local office. www.dcyf.wa.gov/safety/report-abuse

Important Contacts

Caseworker name, phone number and email:

Supervisor name, phone number and email:

CASA/GAL name, phone number and email:

Child's attorney name, phone number and email:

If you would like copies of this document in an alternative format or language, please contact DCYF Constituent Relations (1-800-723-4831 | 360-902-8060, **ConstRelations@dcyf.wa.gov**).

DCYF PUBLICATION CWP_0065 | DSHS 22-1741 (12-2020)



Understanding the Dependency Court Process for Caregivers



YOU HAVE THE RIGHT TO BE:

- Treated with respect
- Notified of court dates and invited to shared planning meetings
- Given the "Caregiver's Report to the Court" to complete

YOU HAVE A RESPONSIBILITY TO:

- Care, love, nurture and provide a safe home for the child
- Explain to the child in a positive, age appropriate way that their parent is not able to safely care for them right now
- Cooperate with the court ordered service and Family Time visitation plan
- Keep the caseworker and court informed of the child's progress and needs
- Express your concerns and ask for support when you need it



Dependency Court Process Timeline								
CHILD PROTECTIVE SERVICES (CPS) REFERRAL	CHILD IS PLACED INTO PROTECTIVE CUSTODY	SHELTER CARE HEARING (Held within 72 hours of placements)	CONTINUED SHELTER CARE HEARING (in some courts 30 days after placement)	FACT FINDING HEARING (75 days after the Dependency Petition is filedthis timeline may be waived in court)	DISPOSITION HEARING (within 90 days of filing a Dependency Petition)	FIRST DEPENDENCY REVIEW HEARING	PERMANENCY PLANNING HEARING (12 months and includes identification of a concurrent plan)	DEPENDENCY REVIEW HEARING (Ongoing every 6 months)
Process begins here	re 72 Hour Maximum		30 days	90 1	Days	6 Months	12 Months	18 Months
Please note: Permanency Planning and Dependency Review Hearings alternate after the initial hearings.								
CPS receives a referral regarding abuse or neglect of a child. A screening decision is made; the referral may be taken as information only, or may be assigned for investigation or Family Assessment Response (FAR). If the child is not safe, the child may be removed from the home by a court order or by law enforcement.	A police officer can place the child who has been abused or neglected or who is unsafe in protective custody. Custody of the child is then transferred to CPS. CPS places the child with a kinship caregiver or foster family. By law, a child can be kept in protective custody for no more than 72 hours without a court hearing.	The court decides if the child stays in placement or can be safely returned home. A Family Time plan is set up so that the child and parent have ongoing, frequent visits.	The court again decides if the child should stay in out-of-home placement or be returned to the parents. The court reviews the Family Time visitation plan and where the child is living.	If the parents agree to the dependency, agreed orders are entered and the child becomes a dependent of the State. If the parents object to the dependency, testimony is given and the court decides if the child becomes a dependent of the State. In home or out-of-home is determined.	Court ordered services for parents are determined. Placement and Family Time visits are addressed. This hearing sometimes occurs with the Fact Finding.	The court reviews parent progress with services and considers if there are additional services that can support and strengthen the parent's ability to provide a safe home for their child. The court might determine that it is safe for the child to return home with an in-home dependency with court oversight.	The court decides what the child's permanent plan should be, and what the child's concurrent or secondary plan should be if the parents are unable to safely parent their child. Permanent plans for a child include reunification, adoption and guardianship.	The court reviews parents' progress and the case plan. The court continues to review these items every six months until permanency is achieved for the child. If a petition to terminate parental rights is filed, separate court dates will begin for this process.

Shared Planning Meetings

Caregivers are notified and invited to participate in all shared planning meetings. These meetings are a key opportunity to share how the child is doing and to share your perspective and opinions about the case.

Shared Planning Meetings include discussions about the child's safety, well-being and permanency. Other topics includes services to support the child.



What is important for me to know?

The Department of Children, Youth, and Families (DCYF) must offer parents supports and services to help them safely reunify with their child. Children are returned home when they can be safe in the family home. A judge decides it is safe to return a child home at any point in the case. It is important to remember that caseworkers make recommendations; the court makes decisions.

DCYF is responsible to make permanency planning recommendations to the court which can include reunification, guardianship and adoption. If a parent is unable to make the changes necessary to keep the child safe, they could lose the right to parent their child. Reunification efforts continue until parental rights are terminated.

The Indian Child Welfare Act (ICWA) governs the dependency process for American Indian and Alaskan Native children. This includes additional protections as well as case planning and coordination with the child's tribe.

