

What is a pre-hearing conference (PHC)?

You, the parent, have the right to participate in a pre-hearing conference (PHC). The PHC should take place within five working days of your child's removal and before the emergency protective services (EPS) hearing.

The purpose of a PHC is to talk about important issues related to you and your children early in a dependent neglect case.

At the PHC, you will have a conversation with the Child Protection Investigator and/or Child Reunification Specialist, the state's attorney, your attorney, a Special Advocate for your child, and your child's attorney. You will discuss what has changed since your child's removal and whether your child can return home safely at the time of the PHC. If they cannot go home safely, you will talk about three additional issues:

1. Your child's placement
2. Improved family time between you and your child
3. Treatment services for you and your family that must be completed before your child can return home

The main goal of the pre-hearing conference is to begin working as a team toward reunifying your family.

What happens during a pre-hearing conference (PHC)?

At the beginning of the PHC, the facilitator will ask everyone a few questions to identify important information about the current status of the case. They will seek information about what has happened since your child's removal and whether it is possible for your child to return home. If your child cannot return home safely at the time of the PHC, the facilitator will work with the group to address three other important issues:

1 PLACEMENT

Have you met the foster or resource parents? Are you OK with your child's current placement? If not, do you have relatives or friends who might be a good choice?

2 FAMILY TIME

Do you agree with the current family time plan? If not, what would you like to change? Do you have friends or relatives without criminal or CPS issues who could help with family time? Can family time be improved or increased? How much, if any, supervision is needed to keep your child safe?

3 SERVICES/TREATMENT

What tasks must be completed before your child can return home? Has the Child Protection Investigator and/or Child Reunification Specialist talked with you about possible services or treatment for you? What has been discussed? Will you agree to begin those services? Have you started any services? What services, if any, will your child need? Can you participate in services with your child? How will you learn how your child is doing?

What happens at the end of a PHC?

The facilitator will review the basic plan as agreed to by you and the other parties, reminding you of upcoming court dates, follow-up meetings, and dates agreed upon to finish tasks. The facilitator will also note areas where more work must be done or where you do not agree.

After the PHC, the goal is for the conversation to continue among the parties throughout the case, working towards timely reunification of families.

Who is in charge?

The pre-hearing conference will be led by someone called a facilitator. Facilitators are not allowed to give legal advice, and are a neutral party. Facilitators are employed by the courts for the purpose of guiding the PHC. They make sure you and everyone else involved can speak openly and honestly about the case.

Where will it be?

The pre-hearing conference will be held remotely by video conference, or will take place in a jury room, conference room, or courtroom at the courthouse.

Who should participate?

The following people are encouraged to participate in a PHC:

- Parents
- Child and Family Services Division (CFSD) Child Protection Investigators and/or Child Reunification Specialists (CPS)
- Attorneys
- Tribal representatives
- Special Advocates
- Treatment providers
- Foster or resource parents
- Family members and friends
- Children (if appropriate)



PLEASE CONTACT YOUR ATTORNEY
WITH QUESTIONS ABOUT YOUR PRE-HEARING CONFERENCE
AND DEPENDENT NEGLECT CASE.

300 copies of this public document were published at an estimated cost of \$0.408 per copy, for a total cost of \$122.47, which includes \$122.47 for printing and \$0.00 for distribution.

understanding PRE-HEARING CONFERENCES

TIMELY REUNIFICATION OF FAMILIES

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