

CRITICAL TIME PERIODS IN ABUSE/NEGLECT & STATUS/DELINQUENCY CASES

ABUSE/NEGLECT (ALL TIME PERIODS BEGIN AT REMOVAL)*3

JUD CUSTODY BY LEO PHYSICIAN OR JUV OFCR (LEO, PHYS TO REPORT W/1 12 HRS) 210.125; 123.01; 123.02	EX PARTE CT ORDER FOR TPC UNTIL PC HRNG *1 123.03; 123.04	PC HRNG *1 124.01	ADJ &/OR DISP HRNG *1	DISPOSITIONAL REVIEW HEARINGS *1	PERMANENCY HEARING *1	POST PERMANENCY REVIEW HEARINGS*1
UP TO 24 HRS	NOT GREATER THAN 3 DAYS EXCL SAT, SUN & LEGAL HOL 211.032.3; 124.01		ADJ WITHIN 60 DAYS; DISP WITHIN 90 DAYS 211.032.4; 124.01	EVERY 90-120 DAYS FIRST YEAR 211.032.4; 124.01	ANNUALLY AFTER REMOVAL OR WITHIN 30 DAYS OF A NO "REASONABLE EFFORTS REQ'D" DETERMINATION 210.720.1; 124.01	AS OFTEN AS REQUIRED; AT LEAST EVERY 6 MONTHS 211.032.4; 124.01
(RELEASE FROM PC UPON CHG OF CIRCUMSTANCES, 123.06)						

STATUS

JUV TAKEN INTO DETENTION 127.01; DET AUTH BY JUV OFCR 127.06	W/1 24 HRS PROB CAUSE HRNG/DET HRNG 127.07 & 127.08 & ORDER OF DET *2		ADJ &/OR DISP HRNG *2			
UP TO 24 HRS (REPORT W/1 12 HRS - 127.02)	REVIEW DET ORDER EVERY 30 DAYS 127.08 OR RELEASE UPON CHG OF CIRCUM 127.09					

DELINQUENCY

JUV TAKEN INTO DETENTION 127.01; TEMP DET AUTH BY JUV OFCR 127.06	DET OF PROB CAUSE W/O HRNG & ORDER OF DET UNTIL DET HRNG 127.07 *2		DET HRNG 127.08 *2		ADJ &/OR DISP HRNG *2	
UP TO 24 HRS (REPORT W/1 12 HRS - 127.02)	NOT GREATER THAN 3 DAYS EXCL SAT, SUN & LEGAL HOL 127.07			REVIEW DET ORDER EVERY 30 DAYS 127.08 OR RELEASE UPON CHG OF CIRCUM 127.09		

*1. ASFA "contrary to welfare" finding required in first court order authorizing removal of child from home. ASFA "reasonable efforts" findings required within 60 days of child's removal and should be made in first order, and must be made in order entered after PC hearing. Rules 123.04 and 123.05. "Reasonable efforts" findings required under 211.183 in all orders regarding removal of a child from home.

*2. ASFA "contrary to welfare" finding required in first court order authorizing removal of child from home. Applies even in status and delinquency cases to insure federal funding reimbursement. ASFA "reasonable efforts" findings required within 60 days of child's removal and should be made in first order; "Reasonable efforts" findings required under 211.183 in all orders regarding removal of a child from home.

*3. Prior to removal without due process, the juvenile officer carefully should review applicable state law and Supreme Court Rules in conjunction with applicable federal law as set forth in *Heartland Academy Community Church v. Waddle*, 04-2474 (8th Cir. 10-14-2005).