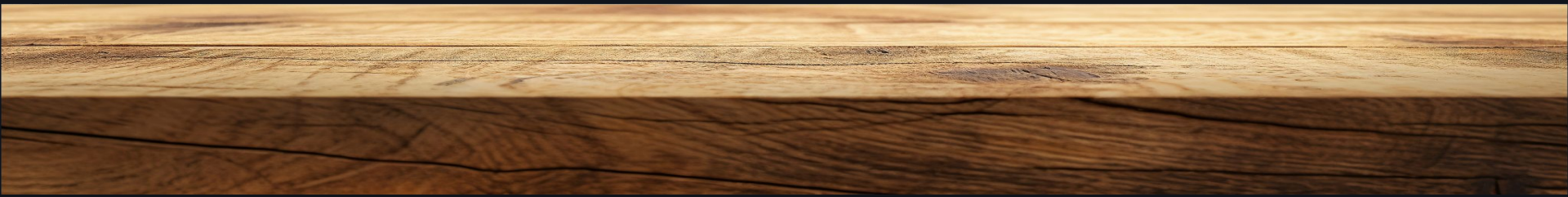


OJD
Shelter Hearing
Materials



What is a Shelter Hearing?

A shelter hearing is a critical stage in a juvenile dependency case. The purpose of it is to determine the safest place for the child to reside. The following are the most important aspects of a shelter hearing:

- Immediate Safety:** Ensuring the immediate safety of the child.
- Placement:** Deciding where to place the child is called a placement decision. The options are foster care, with a relative, or somewhere else.
- Parental Rights:** Letting parents know their rights and responsibilities during the juvenile dependency process.
- Legal Representation:** Appointing legal counsel for parents and children when necessary.



Key Participants in a Shelter Hearing

- Judge:** Presides over the hearing, ensuring a fair and impartial process.
- Parents/Guardians:** Have the right to be present and represented by an attorney.
- Child:** Children who are old enough and capable of doing so can share their preferences about where they want to go.
- Department of Human Services (DHS):** Presents evidence and recommendations for placement.
- CASA/Guardian Ad Litem:** Advocates for the child's best interests.
- Foster Parents/Relatives:** May be present and have a role in placement discussions.

What Happens at a Shelter Hearing?

- Presentation of Evidence:** DHS presents evidence of why removal is necessary.
- Parental Response:** Parents or guardians have the opportunity to respond to the allegations.
- Child's Best Interest:** The judge looks at the child's safety and well-being to decide where they should go.
- Placement Decision:** The judge decides if the child should remain in protective custody or where they should stay.
- Parental Rights:** The judge tells parents their rights, like having a lawyer.

Outcomes of a Shelter Hearing

- Protective Custody:** If the judge thinks it's necessary, they may place the child in protective custody.
- Temporary Placement:** The child can stay with a family member.
- Placement Decision:** The judge can stay with a family member, place the child in protective custody, or place the child in foster care.
- Parental Rights:** The judge can stay with a family member, place the child in protective custody, or place the child in foster care.
- Foster Parents:** The court sets more families to take, child safety and welfare to place the child.

Getting Legal Representation

Parents and children have the right to an attorney at the shelter hearing. If you cannot afford one, a court-appointed attorney will be provided.

Your Questions Answered

Contact the Oregon Juvenile Dependency Benchbook for any questions or concerns you may have. We are here to help.

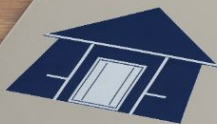
find more info on
www.courts.oregon.gov/programs

Oregon Juvenile Dependency



Shelter Hearings

Oregon Juvenile Dependency



Shelter Hearings

Oregon Juvenile Dependency

Indian Child Welfare Act (ICWA)

The court must decide if a child is an "Indian child" at every hearing, as stated in the Indian Child Welfare Act. If the court believes an Indian child is involved, it must treat the case as an ICWA case until Indian status is confirmed or not.

DHS needs to gather **information** about a parent's ancestors to check if a child is eligible for tribal membership. This **information** should be **given to the court at the shelter hearing.**

An **Indian Child** by definition, is someone who;

- Is an unmarried Person
 - Is less than 18 years old
 - Is a member of an Indian tribe
- OR
- is eligible for membership in an Indian tribe
- OR
- is the child of a member of an Indian tribe

Full Page Spreads





Outcomes of a Shelter Hearing

Protective Custody: If the judge thinks it's necessary, they may place the child in protective custody.

Temporary Placement: The child can stay with a family member, foster parents, or another caregiver for now.

Parental Rights: During the dependency process, officials inform parents about their rights and responsibilities.

Future Hearings: The court sets more hearings to talk about safety and where to place the child.

Getting Legal Representation

Parents and children have the right to an attorney at the shelter hearing. If you cannot afford one, a court-appointed attorney will be provided.

Your Questions Answered

Contact the Oregon Juvenile Dependency Benchbook for any questions or concerns you may have. We are here to help.

find more info on
www.courts.oregon.gov/programs

Oregon Juvenile Dependency



Shelter Hearings

What is a Shelter Hearing?

A shelter hearing is a critical stage in a juvenile dependency case. The purpose of it is to determine the safest place for the child to reside. The following are the most important aspects of a shelter hearing:

Immediate Safety: Ensuring the immediate safety of the child.

Placement: Deciding where to place the child is called a placement decision. The options are foster care, with a relative, or somewhere else.

Parental Rights: Letting parents know their rights and responsibilities during the juvenile dependency process.

Legal Representation: Appointing legal counsel for parents and children when necessary.



Key Participants in a Shelter Hearing

Judge: Presides over the hearing, ensuring a fair and impartial process.

Parents/Guardians: Have the right to be present and represented by an attorney.

Child: Children who are old enough and capable of doing so can share their preferences about where they want to go.

Department of Human Services (DHS): Presents evidence and recommendations for placement.

CASA/Guardian Ad Litem: Advocates for the child's best interests.

Foster Parents/Relatives: May be present and have a role in placement discussions.

What Happens at a Shelter Hearing?

Presentation of Evidence: DHS presents evidence of why removal is necessary.

Parental Response: Parents or guardians have the opportunity to respond to the allegations.

Child's Best Interest: The judge looks at the child's safety and well-being to decide where they should go.

Placement Decision: The judge decides if the child should remain in protective custody or where they should stay.

Parental Rights: The judge tells parents their rights, like having a lawyer.

Leaflet Inserts

Additional leaflets can be created for specialized information that may pertain to unique individuals or groups.

Indian Child Welfare Act (ICWA)

The court must decide if a child is an “Indian child” at every hearing, as stated in the Indian Child Welfare Act.

If the court believes an Indian child is involved, it must treat the case as an ICWA case until Indian status is confirmed or not.

DHS needs to gather **information** about a parent’s ancestors to check if a child is eligible for tribal membership. This **information** should be **given to the court at the shelter hearing**.

An **Indian Child** by definition, is someone who;

- *Is an unmarried Person*
- *Is less than 18 years old*
- *Is a member of an Indian tribe*
OR
- *is eligible for membership in an Indian tribe*
OR
- *is the child of a member of an Indian tribe*

Text Copy

Main Informational Brochure



What is a Shelter Hearing?

A shelter hearing is a critical stage in a juvenile dependency case. The purpose of it is to determine the safest place for the child to reside. The following are the most important aspects of a shelter hearing:

Immediate Safety: Ensuring the immediate safety of the child.

Placement: Deciding where to place the child is called a placement decision. The options are foster care, with a relative, or somewhere else.

Parental Rights: Letting parents know their rights and responsibilities during the juvenile dependency process.

Legal Representation: Appointing legal counsel for parents and children when necessary.

Key Participants in a Shelter Hearing

Judge: Presides over the hearing, ensuring a fair and impartial process.

Parents/Guardians: Have the right to be present and represented by an attorney.

Child: Children who are old enough and capable of doing so can share their preferences about where they want to go.

Department of Human Services (DHS): Presents evidence and recommendations for placement.

CASA/Guardian Ad Litem: Advocates for the child's best interests.

Foster Parents/Relatives: May be present and have a role in placement discussions.

What Happens at a Shelter Hearing?

Presentation of Evidence: DHS presents evidence of why removal is necessary.

Parental Response: Parents or guardians have the opportunity to respond to the allegations.

Child's Best Interest: The judge looks at the child's safety and well-being to decide where they should go.

Placement Decision: The judge decides if the child should remain in protective custody or where they should stay.

Parental Rights: The judge tells parents their rights, like having a lawyer.

Outcomes of a Shelter Hearing

Protective Custody: If the judge thinks it's necessary, they may place the child in protective custody.

Temporary Placement: The child can stay with a family member, foster parents, or another caregiver for now.

Parental Rights: During the dependency process, officials inform parents about their rights and responsibilities.

Future Hearings: The court sets more hearings to talk about safety and where to place the child.

Getting Legal Representation

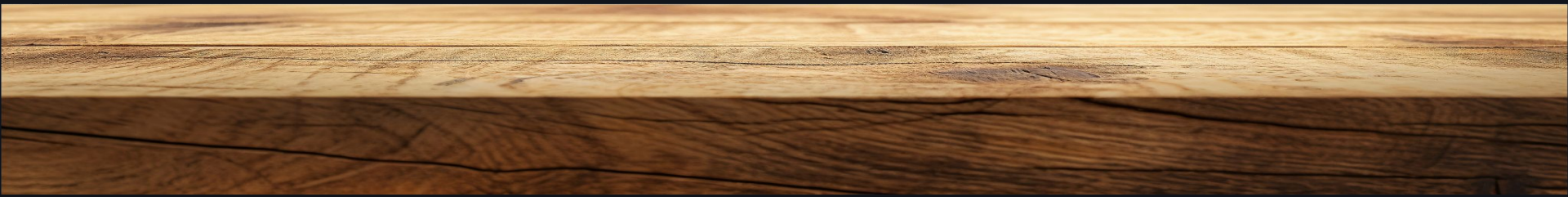
Parents and children have the right to an attorney at the shelter hearing. If you cannot afford one, a court-appointed attorney will be provided.

Your Questions Answered

Contact the Oregon Juvenile Dependency Benchbook for any questions or concerns you may have. We are here to help.

find more info on
www.courts.oregon.gov/programs

Specialized Leaflet Insert Examples



Text Copy

ICWA Insert Example



Indian Child Welfare Act (ICWA)

The court must decide if a child is an “Indian child” at every hearing, as stated in the Indian Child Welfare Act.

If the court believes an Indian child is involved, it must treat the case as an ICWA case until Indian status is confirmed or not.

DHS needs to gather information about a parent’s ancestors to check if a child is eligible for tribal membership. This information should be given to the court at the shelter hearing.

An Indian Child by definition, is someone who;

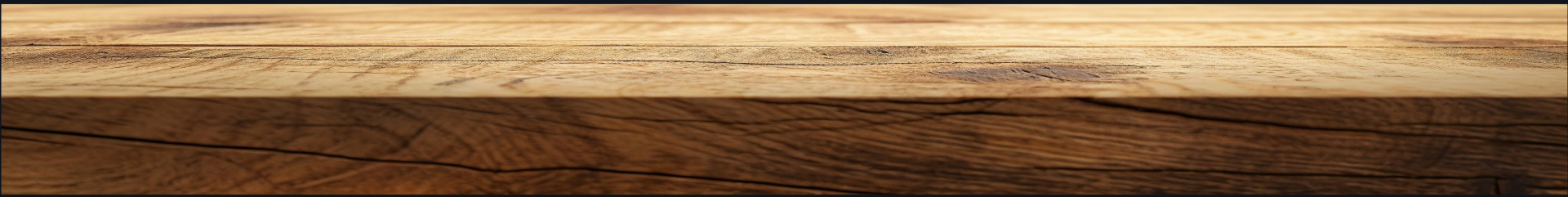
Indian Child Welfare Act (ICWA)

Cont.

- **Is an unmarried Person**
- **Is less than 18 years old**
- **Is a member of an Indian tribe**
OR
- **is eligible for membership in an Indian tribe**
OR
- **is the child of a member of an Indian tribe**

Text Copy

Refugee Children Insert Example



Refugee Children

The court cannot move a refugee child without clear proof that services failed at their current residence. The court also needs proof that going back home will result in harm. DHS and the court must think of the child's culture and tradition when making a placement decision.

Refugee Children Cont.

Order of Placement Preference:

- Natural Parents or Birth Parents
- Extended family members
- Members of the same cultural background
- People with knowledge and appreciation of the cultural background of the child.