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IT'S A GOOD OPTION FOR *AT-RISK YOUTH* and *CHINS PETITIONS*

BENEFITS of Mediation:

- Meet with a highly skilled professional mediator
- Reduces time spent in court
- Option to keep your legal petition in place while the court monitors your mediated agreements
- Potential for better results/outcomes
- Your family will make the final decisions for your family, not a Judge
- Still have access to all the benefits of court case management referrals and resources without court hearings
- It's FREE!

To **schedule mediation or for questions about mediation and other benefits** contact the At-Risk Youth Case manager:

Seattle At-Risk Youth Case Manager:

Karen Chapman

karen.chapman@kingcounty.gov

206-477-4946

Kent Maleng Regional Justice Center At-Risk Youth Case Manager:

Amy Andree

amy.andree@kingcounty.gov

206-477-2759

Child in Need of Services (CHINS) Filing Instructions & FAQ

Filing Instructions

Youth, Parents ("Parent" is defined as the person(s) having legal right to custody of the child and includes custodian or guardian), or DCYF social workers may file petitions with the Superior Court to ask for assistance if the family is in need of necessary services to maintain in-home placement of youth while a youth is temporarily placed out of the home for up to 6 months. Filing a CHINS is a last resort option after a number of other interventions and services have been tried to hold the family together. The petition may be obtained [Here](#) or in person at the Superior Court Clerk's Office (Clark Children & Family Justice Center 1211 E. Alder Street, Seattle) or (Maleng Regional Justice Center, 401 4th Ave N., Kent). **Petitioner must contact Family Reconciliation Services (FRS) for a CHINS petition Family Assessment that must be filed along with the petition paperwork.**

Steps for filing:

Step 1:

Contact Family Reconciliation Services (FRS) for a CHINS petition Family Assessment: 1-800-609-8764. Select the option for child abuse neglect and tell the intake worker you are calling for a CHINS petition Family Assessment.

Step 2:

File your completed petition paperwork and the FRS family assessment with the Clerk's Office. You will be given a date and time for the fact-finding hearing. The Clerk's Office will provide you with two completed copies of the filed petition paperwork. If you need an **interpreter** for your court hearing please inform the Clerk when filing your petition.

Note: Clerk's Office is closed for lunch from 12:15 – 1:15 M-F.

Step 3:

The Petitioner must ensure the Respondent is properly served with one of the copies of the completed petition packets **no less than one week before the court date**. The server must be at least 18 years old and a nonparty to the case. The server must complete the Declaration of Service included in the petition packet which you must bring to the Fact-Finding hearing to verify service.

Step 4:

Attend the Fact-Finding Hearing with all parties. The judicial officer will decide whether the child is, according to the law, a child in need of services. If the petition is granted the court will determine if out of placement is necessary and order parties, with the assistance of the FRS social worker, to participate in reconciliation and stabilization services as appropriate.

If you have questions about filing a petition or pre-filing case management support services, contact the case manager assigned to your child's school district:

Karen Chapman: 206-477-4946 or karen.chapman@kingcounty.gov:

Seattle, Vashon, Bellevue, Issaquah, Lake Washington, Mercer Island, Northshore, Riverview, Shoreline, Skykomish, & Snoqualmie school districts

Amy Andree: 206-477-2759 or amy.andree@kingcounty.gov:

TYPES OF CHINS HEARINGS:

Fact-Finding Hearing:

A fact-finding hearing is the first court hearing in the CHINS petition process. A judicial officer will decide whether the child is a child in need of services, according to the law. At your hearing the judicial officer will hear from parties and the FRS social worker about your case. Petitioner should be prepared to explain to the court why the petition should be granted by describing the presenting circumstances and what relief and interventions you are seeking, including out of home placement. The child will have an attorney at this hearing. This attorney will be representing the child's wishes, which may not be the same as a parent's wishes. The parent has the right to screen with the Department of Public Defense (DPD) to determine if they qualify for an attorney. Parent must contact DPD at 206-477-9727, or dpdscreening@kingcounty.gov, to complete the screening process prior to the hearing. If the judicial officer agrees that the child is in need of necessary services, a court order will be issued with requirements for the parties. The FRS social worker who completed the family assessment will participate in your court hearings and may be ordered to provide reunification services.

Review Hearing:

Two review hearings will automatically be set at the Fact-Finding hearing if the court grants the CHINS petition. At the review hearings, the judicial officer will hear from the parties and the FRS social worker about the progress being made on what the court has ordered. Changes may be made to the court order based on what the judicial officer hears during the hearing. **There would be no consequences for non-compliance unless a party filed a motion for contempt.**

Contempt Hearing:

If a party believes that the other party is not obeying the court order, and they would like the court to take action, they must file a motion for a contempt hearing; your attorney will assist you with this filing, or the case manager will assist for a non-represented parent. At the contempt hearing, the judicial officer will decide whether a party has violated the court order. If the party is found to be in noncompliance, the court may impose consequences to address the violation.

CHINS FAQ's

Why should I get a CHINS petition?

To obtain a court order mandating temporary placement of the child in a residence other than the home of their parent because: a serious conflict exists between the parent and child that cannot be resolved by delivery of services to the family during continued placement of the child in the parental home, and reasonable efforts have been made to prevent the need for removal of the child from the parental home.

Does the youth qualify?

A child in need of services is defined by statute as a child under the age of 18 who meets at least one of the following three requirements:

1. Is in need of necessary services, including food, shelter health care, clothing, educational, or services designed to maintain or reunite the family; and

Lacks access to or has declined to utilize these services; and

Whose parents have evidenced continuing but unsuccessful efforts to maintain the family structure or are unable or unwilling to continue efforts to maintain the family structure; OR

2. Is beyond parental control such that the child's behavior endangers the health, safety, or welfare of the child or other person; OR

3. Has been reported to law enforcement as absent without consent for at least 24 consecutive hours from the parent's home, a crisis residential center, an out-of-home placement, or a court-ordered placement on two or more separate occasions; and

Has exhibited a serious substance abuse problem; or

Has exhibited behaviors that create a serious risk of harm to the health, safety, or welfare of the child or any other person.

Who can file a petition?

A child, parent, or DCYF may file a CHINS petition. A "parent" is defined as the person(s) having legal right to custody of the child and includes custodian or guardian.

Are there any costs?

There is no cost to file a petition or for the FRS Family Assessment, nor for the child's assigned attorney. There *may* be a cost for the attorney for the parent; for more information, contact DPD for screening (206-477-9727 or dpdscreening@kingcounty.gov).

The parent may be financially responsible for costs related to the ***court-ordered plan*** (counseling, drug/alcohol evaluations/treatment, mental health evaluations, etc.).

Whenever the court approves an out-of-home placement, the court shall inquire into the ability of the parents to contribute to the child's support. However, a parent who has BOTH opposed the placement and continuously sought reconciliation with, and return of the child shall NOT be financially responsible for out-of-home placement costs.

What if I am unable to serve my child no less than a week before the CHINS fact-finding date?

Contact your attorney or the case manager for options.

Are there attorneys involved?

The child is automatically assigned a court-appointed attorney for all hearings at no cost to the family. A parent can contact DPD to determine eligibility of a free or low-cost court-appointed attorney. A parent always has the right to obtain an attorney at their own expense.

Are interpreters available if someone does not speak English?

Yes, if a party needs an interpreter for this case, tell the Clerk’s Office staff at the time of filing the petition. King County Superior Court will pay for all interpreter services.

What kinds of things can the Court order?

Some examples include up to 6 months out of home placement, reunification services, behavioral health assessments and services, educational requirements, and other things the court determines necessary to support stabilization and youth’s return to the family home.

What kinds of things can the Court NOT order?

- Inpatient placement in treatment facilities
- Taking medications

What happens if a party does not follow the court order?

A contempt motion may be filed by a parent, a child or a person/agency having custody of the child. If the court makes a finding of contempt at a **contempt hearing**, the court may impose coercive sanctions to bring about compliance.

What should we do if our situation is urgent/crisis and we cannot wait for a court date?

IMMINENT DANGER: **CALL “911”**

Crisis: **King County 24 Hour Crisis-Line: 1-866-4CRISIS OR “988”**



Superior Court of Washington
County of King

In the Interest of:

DOB _____

Petition for Child In Need of Services

I. BASIS

I represent to the court the following:

1.1 Petitioner(s) is/are:

Child

Custodian of the above-named child

Parent(s)

Guardian of the above-named child

DCYF

1.2 Information about the child:

Date of birth: _____ Age: _____ Sex: _____

Legal Address: _____

Phone Number: _____

1.3 Information about Parent #1:

Name: _____

Address: _____

Phone Number: _____

Email Address: _____

Information about Parent #2:

Name: _____

Address: _____

Phone Number: _____

Email Address: _____

Marital status of parents: _____

Information about the legal custodian or guardian

Name: _____

Address: _____

Phone Number: _____

Email Address: _____

1.4 Other active Juvenile Court matters:

- The child is not the subject of a dependency proceeding under chapter 13.34 RCW.
- An At-Risk Youth (ARY/CHINS) petition involving this child is active.
- A Truancy petition involving this child is active.
- An offender (criminal) matter involving this child is active.

1.5 The child is a child in need of services, as defined in RCW 13.32A.030(4), in that the child:

- a The child is beyond the control of his/her parent such that the child's behavior endangers the health, safety, or welfare of the child or other person;
- b. The child has been reported to law enforcement as absent without consent for least 24 consecutive hours from the parent's home, a crisis residential center, an out-of-home placement, or a court ordered placement on two or more separate occasions; **and** the child

- Has exhibited a serious substance abuse problem; **or**
- Has exhibited behaviors that create a risk of serious harm to the health, safety, or welfare of the child or any other person; **or**

- c. The child is in need of necessary services (including food, shelter, healthcare, clothing, educational, or services designed to maintain or reunite the family); **and**
 - The child lacks access to, or has declined to utilize these services; **and**
 - The child's parents have evidenced continuing but unsuccessful efforts to maintain the family structure or are unable or unwilling to continue efforts to maintain the family structure.

1.6 **A family assessment has been completed by Family Reconciliation Services (FRS) and verification thereof is attached to this petition.**

FRS was unable to complete the family assessment within two working days of the petitioner's request.

1.7 **A serious conflict exists between the parent and the child.**

If the petitioner is the child, s/he has made a reasonable effort to resolve the conflict.

Reasonable efforts have been made to prevent or eliminate the need for removal of the child from the child's home and to make it possible for the child to return home. The efforts made by the petitioner include the following:

1.8 **The allegation that the child is a child in need of services is based on the following facts:**

II. RELIEF REQUESTED

I/We request that the Court order out-of-home placement for the child. I/We also request that the following recommendations be considered by the Court for inclusion in the dispositional order: __

III. CERTIFICATION

I/We certify under penalty of perjury under the laws of the State of Washington that the above information is true and correct.

Signed this ____ day of _____, 20____, at _____, Washington

Print Name of Petitioner

Signature of Petitioner

Print Name of Petitioner

Signature of Petitioner

INFORMATION FORM FOR ARY/CHINS PARTIES

Required by 7.105.115

Information will be entered into a database available only to the courts. Information is required only for those individuals/parties that will be attending future court hearings.

Youth:

First Name: _____
Middle Name: _____
Last Name: _____
Address: Street: _____
City: _____
State: _____
Zip Code: _____
Home/Cell Telephone: _____
Work Phone: _____
Sex: _____ Race: _____ Hair Color: _____ Eye Color: _____
Date of Birth: _____

Parent 1/Legal Guardian (LGN) 1: Relationship to Youth: _____ Relationship to other Parent/LGN: _____

First Name: _____
Middle Name: _____
Last Name: _____
Address: Street: _____
City: _____
State: _____
Zip Code: _____
Home/Cell Telephone: _____
Work Phone: _____
Sex: _____ Race: _____ Hair Color: _____ Eye Color: _____
Date of Birth: _____

Parent 2/Legal Guardian (LGN) 2: Relationship to Youth: _____
Relationship to other Parent/LGN: _____

First Name: _____

Middle Name: _____

Last Name: _____

Address: Street: _____

City: _____

State: _____

Zip Code: _____

Home/Cell Telephone: _____

Work Phone: _____

Sex: _____ Race: _____ Hair Color: _____ Eye Color: _____

Date of Birth: _____

KING COUNTY SUPERIOR COURT
CASE ASSIGNMENT AREA DESIGNATION and CASE INFORMATION COVER SHEET
Juvenile and Mental Health

CASE NUMBER: _____
(Provided by the Clerk)

CASE CAPTION: In Re _____
(Print name of person or child)

- Seattle area, defined as
All of King County except for the areas included in the Kent Case Assignment Area
- Kent area, defined as
All of the areas of King County using the following postal zip codes: 98001; 98002;
98003; 98010; 98022; 98023; 98025; 98031; 98032; 98038; 98042; 98047; 98048;
98051; 98054; 98055; 98056; 98057; 98058; 98059; 98092; 98146; 98148; 98158;
98166; 98168; 98178; 98188; 98198.

Please mark one of the boxes below:

- | | |
|--|---|
| <input type="checkbox"/> Mental Illness Family (MIF) - <u>Seattle Only</u> | |
| <input type="checkbox"/> At-Risk Youth (ARY) | <input type="checkbox"/> Child in Need of Services (CNS) |
| <input type="checkbox"/> Dependency (DEP) | <input type="checkbox"/> Developmental Disability (DDP) |
| <input type="checkbox"/> Extended Foster Care – Dependency (EFC) | <input type="checkbox"/> Guardianship Foster Children (GFC) |
| <input type="checkbox"/> Reinstatement of Parental Rights (RPR) | <input type="checkbox"/> Termination of Parental Rights (TER) |
| <input type="checkbox"/> Truancy (TRU) | |

I certify that this case meets the case assignment criteria, described in King County LuCR 3.2(c).

Signature of person / Attorney starting the case

Date

WSBA Number



Superior Court of Washington
County of King

In the Interest of:

DOB _____

**NOTICE AND ORDER TO APPEAR FOR
HEARING ON CHILD IN NEED OF SERVICES
(CHINS) PETITION**

STATE OF WASHINGTON TO:

Name of Opposing Party: _____

Present Address: _____

Phone Number: _____

Whereabouts unknown.

I. NOTICE AND ORDER TO APPEAR FOR HEARING

1.1 You are notified that a **Child In need of Services (CHINS)** petition, a copy of which is attached, was filed with this court

1.2 **YOU ARE DIRECTED TO APPEAR AT A HEARING TO BE HELD:**

On _____ **at** _____ **a.m. / p.m.,**
At King County Superior Court

Clark Children & Family Justice Center
1211 E. Alder Street
Seattle, WA 98122
Courtroom 1A

Maleng Regional Justice Center
401 4th Ave N
Kent, WA 98032
Courtroom 1F

And show cause why the relief requested in the Child In Need of Services Petition should not be granted.

**FAILURE TO APPEAR IN COURT IN RESPONSE TO THIS NOTICE AND ORDER TO APPEAR MAY
RESULT IN A WARRANT FOR YOUR ARREST**

- 1.3 The purpose of the hearing is to hear and consider evidence on the petition, and decide whether the petition should be granted.
- 1.4 **It is the petitioner's responsibility to have the above-named person served by someone other than the petitioner who is over the age of eighteen, and to provide proof of such service at the hearing.**

ADVICE OF RIGHTS AND CONSEQUENCES

- 1.1 A lawyer will be appointed for the child. The Office of Public Defense (OPD) shall appoint counsel within 72 hours of receipt of this petition and shall notify the court at least one court day prior to the hearing if OPD deems it is unable to comply with this court order.
- 1.2 The parent, legal custodian or guardian of the child has a right to be represented by a lawyer at the hearing. If the parent cannot afford a lawyer, the Court will appoint one. If the parent wants a court appointed attorney, s/he must contact the financial screener for the Office of Public Defense at (206) 477-9727 at 3 days prior to the hearing date.
- 1.3 All parties have the right to present evidence at the fact-finding hearing.
- 1.4 Parties are advised that if the Court approved the petition, the child may be ordered into an out-of-home placement, subject to the terms of the court order. This may include outpatient drug and alcohol treatment and/or mental health/psychological evaluation or treatment.
- 1.5 Parties are advised that the Court may, instead of approving the CHINS petition and ordering out-of-home placement, approve an at-risk youth petition filed by the parents, dismiss the CHINS petition, or order the case reviewed to determine whether a dependency petition should be filed.
- 1.6 If the Court approved an out-of-home placement, the parent may be required to contribute to the child's support. However, payments shall not be required of a parent who has both opposed the placement and continuously sought reconciliation with, and return of the child.
- 1.7 The child and the parent have the right to request a hearing to review the current placement pending the hearing set in paragraph 1.2.
- 1.8 The petition must be filed in the county where the parent resides.
- 1.9 The parent has the right to file an at-risk youth petition (Chapter 13.32A RCW), a guardianship petition (Chapter 11.88 RCW), or a dependency petition (Chapter 13.34 RCW). The parent also has the right to submit an application for admission of the child to a treatment facility for alcohol, chemical dependency, or mental health treatment. The parent may seek court review of a decision not to pursue involuntary commitment of the child for alcohol, chemical dependency or mental health treatment (Chapter 70.96A and 71.34 RCW)

Dated: _____

Judicial Officer

- Petitioner(s) waive(s) right to a hearing within 10 days of filing this petition because the child is currently living at home or in placement.

Signature of Petitioner

Signature of Petitioner

- Petitioner(s) waive(s) right to a hearing within 5 calendar days of filing this petition because the child's whereabouts are currently unknown

Signature of Petitioner

Signature of Petitioner

FAILURE TO APPEAR IN COURT IN RESPONSE TO THIS NOTICE AND ORDER TO APPEAR MAY RESULT IN A WARRANT FOR YOUR ARREST. OR MAY RESULT IN AN ORDER BEING ENTERED APPROVING THE PETITION AND PLACING THE CHILD IN AN OUT OF HOME PLACEMENT.

IF THE PETITIONER FAILS TO APPEAR FOR ANY COURT HEARING, THE COURT MAY DISMISS THE CASE WITHOUT FURTHER NOTICE.



Superior Court of Washington
County of King

In the Interest of:

DOB _____

No.

DECLARATION OF SERVICE

_____ declares as follows:
(Print name of server)

On _____, I served _____ with the following:
(Date)

At-Risk Youth (ARY) PETITION and NOTICE and order to show cause for hearing filed on _____
(Date)

Child In Need of Services (CHINS) PETITION and NOTICE and order to show cause for hearing filed on _____
(Date)

Motion and order to show cause regarding CONTEMPT for violation of an ARY/CHINS order filed on _____
(Date)

ARY/CHINS motion for CONTINUANCE and order of the court filed on _____
(Date)

Other _____ filed on _____
(Title of Documents) (Date)

Note: This document properly signed constitutes proof of service. The petitioning party or moving party shall retain this document and present it to the court on the date of said hearing. The use of a paid process server is not required. The server must be a nonparty who is over the age of eighteen.

I am NOT a party of record in this matter, I am over the age of 18, and state that I served the aforementioned documents by:

delivering to and leaving with him/her personally in King County, Washington a copy of said documents;

I DECLARE under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated this _____ day of _____, 20____, in _____, Washington.

Signature of Server

Print Name of Server

Note: This document properly signed constitutes proof of service. The petitioning party or moving party shall retain this document and present it to the court on the date of said hearing. The use of a paid process server is not required. The server must be a nonparty who is over the age of eighteen.