

Child in Need of Assistance is commonly referred to as CINA. CINA cases are filed when a child is in need of services or the supervision of a professional due to problems beyond the ability of the child's family to solve them alone.

This brochure will attempt to walk persons through the CINA process in Polk County

What Constitutes a CINA?

There are several reasons a child needs to be adjudicated a CINA. The following are examples:

- Child is using illegal drugs
- Child ran away from home
- Child has a mental illness
- Child skips school
- Child exhibits extreme anti-social behavior
- Child has unexplained history of delinquency
- Child is born with illegal drugs in his system
- Child's parents abandon child
- Child's parents are involved in a criminal activity
- Child's parents fail to reasonably supervise child.
- Child has been physically, mentally or sexually abused by a parent or as a result the parent's failure to stop such abuse

Who can Refer A Case to The Juvenile Justice System?

- Department of Human Services (DHS)
- County Attorney
- Relative of Child
- Anyone concerned with Child's welfare

What is in the Process?

(1) Child is referred to the DHS or the County Attorney's Office. In some cases

a Child Protective Investigator (CPI) will investigate whether the child has been abused or neglected. If a person has a question or wishes to refer a child, please call the DHS at 283-9238 or the County Attorneys' Office at 286-3842. A person can also call the Juvenile Justice Center at 242-5823.

- (2) Child may be removed from the home and placed in foster care with a relative, a certified foster care provider or a juvenile group home in extreme cases. An extreme case may involve such things as drug use by one of the child's parents. A parent is entitled to a hearing within ten (10) days of a temporary removal of his or her child.
- (3) Court will hold a Pretrial Conference to set a date for an adjudication hearing and/or hold a hearing on the removal if a temporary removal was originally ordered. A parent who is unable to afford a lawyer is entitled to a court appointed lawyer.
- (4) Court will hold an Adjudication hearing. This is a hearing to determine whether the youth is a CINA. The Court will then set a hearing date for disposition.
- (5) Court will hold a Disposition hearing to determine what services should be provided and will issue an order detailing the responsibilities of the DHS, the parent and the child.
- (6) Court will hold a CINA Review hearing within 90-180 days from disposition. The review hearing is held to monitor the progress of the case. DHS will provide

the parents and their lawyers an updated Case Plan which will contain the items listed at the Disposition hearing and will add any new services that are needed.

It is important the parents, child and DHS follow the Plan. The Case Plan is normally incorporated by reference in the Court's order and failure to follow the Case Plan can result in a finding of Contempt of Court, removal of the child from the home, and even the termination of parental rights. Polk County judges do terminate parental rights in cases where the Case Plan is not following, so this option must be considered seriously.

What is TPR?

TPR is a termination of parental rights. Where a child has been removed from the home for a year, or an infant has been removed for six months, the state can file a petition to terminate the parents' rights and have the child placed for adoption. If one has failed to follow the Case Plan and/or if the child cannot be returned to the home within a year, a TPR proceeding can be initiated.

What is Permanency?

Permanency is where a child has been out of the home for a year but there is a compelling reason why TPR is not in the child's best interest. In these cases, the child can be placed in a permanent or long-term foster home.

Who Can I Call?

DHS283-9238
JUVENILE CLERK.....286-3960
YOUTH LAW CENTER.....244-1172
JUVENILE PUBLIC DEFENDER242-6743